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RESERVED DOCUMENTS

	Page
Lawton, General.....	1137-1140, 1144, 1145
Loyalty board.....	1132, 1137
Loyalty program.....	1107
Loyalty security board.....	1135, 1136
Marder, Maurey (Maunie).....	1141, 1143
McCarthy, Senator Joe.....	1105-1109, 1111, 1112, 1114, 1115, 1121, 1124, 1126, 1128, 1129, 1132, 1133, 1136-1138, 1140, 1141, 1143-1146.
McCarthy committee.....	1105, 1108, 1114, 1136, 1138, 1140, 1141
McCarthy hearing.....	1111, 1141
Meet the Press (television program).....	1135
Members of Congress.....	1143
Members of the Senate.....	1109, 1132, 1142
Memphis, Tenn.....	1140
Merchants Club (New York City).....	1128
Navy (United States).....	1117
New England.....	1119
New Jersey elections.....	1104
New Year's holiday.....	1114, 1124
New York.....	1104, 1119
New York airport.....	1128
New York-New Jersey area.....	1104, 1119
New York City.....	1115, 1116, 1122-1125, 1127-1130, 1144, 1146
New York Herald Tribune.....	1140, 1141
New York Post.....	1142
Pearson, Drew.....	1142
Pentagon.....	1111, 1117, 1144
Plainfield, N. J.....	1104
Potter, Philip.....	1140, 1141, 1143
Potter, Senator.....	1143
Presidential directive.....	1136
Prewitt, Thomas.....	1140-1147
Russell, Rosalind.....	1127
Ryan, General.....	1104, 1105, 1112-1114, 1129, 1131
St. Clair, Mr.....	1126, 1127, 1138, 1139
Schine, G. David.....	1104, 1105, 1112-1114, 1117, 1124-1128, 1131, 1132, 1142, 1146
Secretary of the Army.....	1104-1107, 1111-1117, 1119, 1121-1124, 1128-1131, 1133-1136, 1138-1140, 1144-1146.
Selective Service Act.....	1130
Senate Office Building.....	1117, 1118, 1123, 1124
Senate of the United States.....	1109, 1132, 1142
South Dakotan.....	1143
Southern Army base.....	1119
Stevens, Robert T.....	1104-1107, 1111, 1119, 1121-1124, 1128-1131, 1133-1136, 1138-1140, 1144-1146
United States Air Force.....	1117, 1118
United States Army.....	1104, 1106-1109, 1115, 1116, 1118-1120, 1122, 1123, 1125, 1128, 1130, 1132-1134, 1136, 1137, 1139, 1141-1144
United States Bureau of Internal Revenue.....	1128
United States Congress.....	1143, 1144
United States Department of Justice.....	1144
United States Government.....	1107, 1134, 1136, 1142
United States Government Printing Office.....	1137
United States Inspector General (Fort Dix).....	1142
United States Senate.....	1109
WAC (Women's Army Corps).....	1144
Washington, D. C.....	1108, 1119, 1122, 1123, 1128, 1129, 1131, 1134, 1137, 1139, 1144, 1146
Washington lawyer.....	1134
Washington Post.....	1141, 1143
"Wonderful Town" (stage show).....	1127
Zwicker hearing.....	1127

SPECIAL SENATE INVESTIGATION ON CHARGES
AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

HEARING

BEFORE THE

SPECIAL SUBCOMMITTEE ON
INVESTIGATIONS OF THE COMMITTEE ON
GOVERNMENT OPERATIONS
UNITED STATES SENATE

EIGHTY-THIRD CONGRESS

SECOND SESSION

PURSUANT TO

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CONTENTS

	Page
Index-----	I
Testimony of—	
Adams, John G., Counselor, Department of the Army-----	1150
Dirksen, Senator Everett McKinley, United States Senate-----	1176
Mundt, Senator Karl E., United States Senate-----	1186

SPECIAL SENATE INVESTIGATION ON CHARGES AND
COUNTERCHARGES INVOLVING: SECRETARY OF THE
ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE
HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN,
AND FRANCIS P. CARR

FRIDAY, MAY 14, 1954

UNITED STATES SENATE,
SPECIAL SUBCOMMITTEE ON INVESTIGATIONS OF THE
COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D. C.

The subcommittee met at 10:15 a. m., pursuant to recess in the caucus room of the Senate Office Building, Senator Karl E. Mundt, chairman, presiding.

Present: Senator Karl E. Mundt, Republican, South Dakota; Senator Everett McKinley Dirksen, Republican, Illinois; Senator Charles E. Potter, Republican, Michigan; Senator Henry C. Dworshak, Republican, Idaho; Senator John L. McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington, and Senator Stuart Symington, Democrat, Missouri.

Also present: Ray H. Jenkins, chief counsel to the subcommittee; Thomas R. Prewitt, assistant counsel; and Ruth Y. Watt, chief clerk.

Principal participants present: Senator Joseph R. McCarthy, a United States Senator from the State of Wisconsin; Roy M. Cohn, chief counsel to the subcommittee; Francis P. Carr, staff director of the subcommittee; John G. Adams, counselor to the Army; Joseph N. Welch, special counsel for the Army; James D. St. Clair, special counsel for the Army; Charles A. Haskins, assistant counselor, Department of the Army.

Senator MUNDT. The committee will please come to order.

Senator Dirksen has asked me to state that he has been detained briefly this morning, but will be with us about 11 o'clock. All the other committee members being present, we are ready to proceed.

The Chair would like to begin as is his custom by welcoming the guests who have come to the committee, and reminding them of the standing committee order that there are to be no manifestations of approval or disapproval audibly of any kind at any time by any of the people in the audience, and the officers in uniform and the plainclothes men in the audience have been instructed by the committee without any further notice to politely escort from the room immediately any of our guests who might decide to violate the terms under which they are admitted here as guests of the committee.

I again want to say that audiences have been remarkably fine. The officers have done a splendid job, and we hope that these favorable conditions will continue throughout the hearings.

Mr. Counsel, at the conclusion of the day yesterday Mr. Prewitt had finished his questioning. The Chair would like to find out whether you have other questions you want to ask Mr. Adams at this time.

Mr. JENKINS. Mr. Chairman, we have no further questions at this time.

Senator MUNDT. It then becomes under the 10-minute rule the Chair's time to ask questions for 10 minutes.

Is the timekeeper in position and ready? She will notify me when my time has expired. We will go around the wheel under the 10-minute rule until all questions have been asked.

TESTIMONY OF JOHN G. ADAMS, COUNSELOR TO THE ARMY— Resumed

Senator MUNDT. Mr. Adams, you were in the committee room, I believe, throughout these hearings since the very start? Is that right?

Mr. ADAMS. Yes, sir; I have been.

Senator MUNDT. So you are conversant with the line of questioning that I asked the Secretary about Mr. Carr.

Mr. ADAMS. Yes, sir; I am.

Senator MUNDT. I give you that simply as background for some questions I would like to ask primarily for my own guidance, but I am sure also for the guidance of the whole committee as to whether specifically you have some charges to make against Mr. Carr concerning the overall charge presented to our committee on April 13, which reads that:

The Department of the Army alleges that Senator Joseph R. McCarthy as chairman of the Permanent Subcommittee on Investigations, United States Senate, and its chief counsel, Roy M. Cohn, as well as other members of its staff, sought by improper means to obtain preferential treatment for one Pvt. G. David Schine.

I want to direct my inquiries specifically to the point of what improper means Mr. Frank Carr employed, if any, or if he did anything else as a representative of our committee which the Army considers to be improper and inappropriate. So I would ask you first, so we can have it before us under the American concept of fair play, to particularize the charges now that you make against Mr. Frank Carr as part of these overall charges.

Mr. ADAMS. Mr. Chairman—

Senator MUNDT. May the Chair say if there are any. I am not trying either to clear Mr. Carr nor to convict him, but in fairness to him it seems to me the time is certainly here now when we should particularize his evil-doing, if any.

Mr. ADAMS. There were incidents, Mr. Chairman, which I have already testified to in direct examination which occurred—I want to break this down into prior and subsequent to January 20 for reasons which I will explain later.

These were incidents which occurred prior to January 20.

Senator MUNDT. May I ask, why January 20? Is there some—

Mr. ADAMS. Yes, sir; I will later explain.

Senator MUNDT. Go right ahead.

Mr. ADAMS. There were incidents prior to January 20 when I had conversations with Mr. Carr with reference to Mr. Schine. One of

them I remember most particularly occurred on the train ride when we returned from New York, from Newark, N. J., on the 25th of November. We had a long talk about Schine. He was discussing at some length the trouble that the Army was going to be in with reference to Schine and his feeling that the Army was in for continuing trouble unless something was done with reference to Schine which would satisfy Mr. Cohn.

Mr. Carr was more or less a passive participant in the luncheon of December 17 and the train ride or the automobile ride uptown, at which time there was considerable abuse. He was not a participant insofar as he himself said something that I remember.

Senator MUNDT. Let me ask, then, whether as a passive passenger in the automobile you alleged that he was doing something improper?

Mr. ADAMS. I said he was not, sir.

Senator MUNDT. Not on that occasion?

Mr. ADAMS. Not on that occasion.

Senator MUNDT. Very good. How about the train ride? Do you allege that on the train ride he was doing something improper or was he sort of serving as an intermediary pointing out—

Mr. ADAMS. It seemed to me not only on that occasion but it seemed to me on January 9 when he called me at Amherst, Mass., and it seemed to me when he called me at my home in Sioux Falls, S. Dak., to talk about Schine, I had the feeling that he was an agent, that he was an agent of a principal, and that he felt obliged—I didn't know that he had been directed to make these inquiries, but I had a strong feeling that he was in the middle and had to take these actions either because he was trying to be helpful to me, pointing out the difficulties which were facing us, or because he felt an obligation to a man who seemed to me to be his superior. Although he may not have been, it seemed to me as though he was. That was the situation which existed up until about January 20.

Senator MUNDT. All right. Now, is the Chair to understand that up until January 20, there are no allegations on the part of the Army that—

Mr. ADAMS. No, sir, I didn't say that. I am trying, if I may, sir, to establish—

Senator MUNDT. Would you spell out the ones before January 20 where he engaged in improper means to influence the Army?

Mr. ADAMS. He was a participant, sir; he was a participant in the luncheon of November 6 in the Secretary's office. I recall no precise words. That was the luncheon in which it was asked that Schine be made available weekdays.

Senator MUNDT. May I ask whether, as a participant in the luncheon of November 6, at which time you recall his having said nothing, whether in that passive capacity he was more evil than in his passive capacity as a passenger in the automobile.

Mr. ADAMS. I think that his—I think that they were different, in this respect: I think that he was acutely uncomfortable in the automobile that day, just as I was acutely uncomfortable in the automobile that day.

Senator MUNDT. How about the luncheon. Were you comfortable at the luncheon?

Mr. ADAMS. I would like, sir, if you would permit me, without interruption, to try and develop for you the pattern which you are trying to have me develop.

Senator MUNDT. You will develop specifically the charges, so that we can put our teeth into something specific. That is what we are trying to find, before January 20.

Mr. ADAMS. As I have stated, he was a participant in the luncheon on November 6. I remember no words. He did not seem to disagree with the request which was made. I do not isolate the instances, but I know that he was at Fort Dix from time to time.

Senator MUNDT. Before we leave, I want to get these point by point so we can save time. We have taken any charge out as far as the automobile is concerned?

Mr. ADAMS. That is right. He was as uncomfortable as I was.

Senator MUNDT. At the luncheon, whether he was comfortable or uncomfortable, are you charging him with improper activity?

Mr. ADAMS. No, sir. He was a coparticipant with Senator McCarthy in the luncheon of December 10, the prime and sole purpose of which was to discuss the New York assignment for Schine.

Senator MUNDT. And what did Carr do on that occasion that was improper?

Mr. ADAMS. I state, sir, he was a coparticipant with Senator McCarthy.

Senator MUNDT. I understand that. I want to understand what he was "co-ing" while he was at the luncheon. You have been relatively specific about Cohn, relatively specific about McCarthy. Now let's get specific about Carr. We have to call Carr to defend himself against something, and we want to find out what it is.

Mr. ADAMS. I am trying to recall, sir, my opinion of the Carr attitude prior to and subsequent to January 20.

Senator MUNDT. This is December 10. That is prior to January 20.

Mr. ADAMS. That is correct.

Senator MUNDT. What did he do on January 10—

Mr. ADAMS. January 20?

Senator MUNDT. December 10, that you want to charge him with as being improper?

Mr. ADAMS. He was a coparticipant in the luncheon. The Senator was the one who was making the request with reference to New York assignments of Schine.

Senator MUNDT. I am talking about Carr. What did Carr do at the luncheon?

Mr. ADAMS. He did not disassociate himself with the Senator's position. He did not disassociate himself at the luncheon on November 6.

Senator MUNDT. December 10 we are talking about.

Mr. ADAMS. I am speaking of both November 6 and December 10.

Senator MUNDT. Let's make it December 10. What did he do on December 10 other than the fact that he did not say to his chairman, "Don't say that."

Mr. ADAMS. I would state that he was present; he did not disassociate himself.

Senator MUNDT. All right. He was present. You charge him with improperly using means to intimidate the Army because he was present at the luncheon and said nothing. Is that a charge? Or do

you say that as far as that luncheon is concerned, there is no complaint on the part of the Army?

MR. ADAMS. I think the fact that he was present; the fact that the position of the chairman was being enunciated to us and that he was listening there quietly listening to it, made him a coparticipant.

SENATOR MUNDT. Are you charging him, then—I want to find out so when we get him here we don't have to waste any time about the automobile ride or waste any time about the luncheon of November 6—do we have to talk to him about December 10 and ask him, "Why weren't you up and saying, 'Senator McCarthy, you can't say that in my presence?'"

It seems to me that is asking a tremendous lot on behalf of an employee of a Senator, but if you think that is improper, you certainly would interrogate him as to why he engaged in such impropriety as intimidation of the Army.

MR. ADAMS. On the luncheon of December 10, Senator McCarthy made the representations. I saw Carr very often subsequent to that, and he never disassociated himself with the Senator's position.

SENATOR MUNDT. That I understand. You consider because he did not, he was engaging in improper means to intimidate the Army?

MR. ADAMS. I do, sir.

SENATOR MUNDT. All right. December 10. We have that charge. What else?

MR. ADAMS. He called me in Sioux Falls, S. Dak., and asked me about Schine. He called me at Amherst, Mass., and asked me—

SENATOR MUNDT. Let's stay with the call to Sioux Falls, S. Dak. On that occasion did you feel he was calling you as Frank Carr, trying to voice Frank Carr's opinion, or calling as an intermediary for Roy Cohn or Senator McCarthy?

MR. ADAMS. I had no way of knowing. I was surprised to receive the call from Carr.

SENATOR MUNDT. My time has expired. Senator Dirksen has not returned. Senator McClellan?

SENATOR MCCLELLAN. Thank you, Mr. Chairman.

MR. ADAMS, I want to get at the crux of this controversy. I have listened to your testimony and your response to cross-examination with quite keen interest. I want you to state positively under oath now whether you undertook to appease Senator McCarthy and Mr. Cohn for the purpose of causing Senator McCarthy and Mr. Cohn to call off the hearings at Fort Monmouth?

MR. ADAMS. I did not.

SENATOR MCCLELLAN. Why did you spend so much time, so much energy—you and the Secretary of the Army—trying to respond to and give some consolation or make concessions to Senator McCarthy and Mr. Cohn with respect to Mr. Schine if you were not trying to appease them and get them to call off those hearings?

MR. ADAMS. The representations with reference to Mr. Schine were that he was needed for committee business. Mr. Stevens made the concession and stated unequivocally at the time that he did, and on subsequent occasions, that he did not want it to be possible for anyone to allege that he, by his action, had interfered with the committee or impeded the progress of their investigative work.

SENATOR MCCLELLAN. Do you know of any other private in the Army, in your experience in Government or since you have been with

the Department of Defense or with the Secretary of the Army, who has received as much attention from high sources as has this private, Mr. Schine?

Mr. ADAMS. I do not, sir.

Senator McCLELLAN. Why did you give him so much attention? Why did you waste so much time on him?

Mr. ADAMS. Because the committee requested it, sir.

Senator McCLELLAN. The committee requested it?

Mr. ADAMS. The committee requested the man's availability.

Senator McCLELLAN. Did the committee request it or did Mr. Cohn request it?

Mr. ADAMS. Mr. Cohn requested it, and we were led to believe that the request had the approval of Senator McCarthy. Once the requests were made in the presence of Senator McCarthy, on November 6.

Senator McCLELLAN. So you took it as a committee request?

Mr. ADAMS. I did, sir.

Senator McCLELLAN. Did you think it was a proper request?

Mr. ADAMS. No, sir.

Senator McCLELLAN. Why?

Mr. ADAMS. I felt that the soldier should have been dropped by the committee when he was drafted. I felt that he should have been left alone as a soldier. I often pleaded with Cohn and Carr to let the soldier alone, to let him be a soldier.

Senator McCLELLAN. You thought from the beginning that there was no justification for the committee requesting his services after he entered the Army?

Mr. ADAMS. I had no way of knowing, sir, just exactly what the committee's needs for him were.

Senator McCLELLAN. Have you ever been told up to now what his needs were and why he was so necessary to continue serving the committee?

Mr. ADAMS. The only thing I have been told is the things that Mr. Cohn has stated, which were to the effect that there was much investigative matter which had been begun by Mr. Schine, and which Schine and Schine alone knew about, many facts in his head, and that it was going to be necessary from time to time to take witnesses from other places to transport to Fort Dix to be interrogated by Schine.

Senator McCLELLAN. Was any indication ever given to you how long it would take him to complete his work?

Mr. ADAMS. Mr. Cohn indicated that there would be a continuing need. Mr. Stevens had tried to——

Senator McCLELLAN. What do you mean by "continuing need"? How long, a week, 2 weeks, 2 months, or indefinitely?

Mr. ADAMS. When he had been first drafted, the indications were indefinite, but for a long period of time. Mr. Stevens at that time, in suggesting the 15 days of temporary duty, I think had attempted by that to cut it off at that time, but on through the winter, as late as the first week in January, Mr. Cohn had indicated to me that there was committee business for which the soldier would be required when he was at Camp Gordon.

Senator McCLELLAN. You are charged here with undertaking to appease in order to get these hearings called off. If you were undertaking to appease, I want to know why you didn't give Mr. Schine a direct commission when it was requested?

Mr. ADAMS. I wasn't, sir, in the Army at the time the direct commission was a matter under consideration. I had nothing to do with the decision on the direct commission. It is my understanding that——

Senator McCLELLAN. Let's skip that. You had nothing to do with it?

Mr. ADAMS. No, sir.

Senator McCLELLAN. Why did you not agree, then, to appease by sending him up to West Point to read textbooks? Why did you not agree to that?

Mr. ADAMS. I guess as good a reason as any is that we had 25,000 men killed in Korea who didn't have the money or the influence to get themselves a New York assignment.

Senator McCLELLAN. You think they were undertaking to use money and influence to get an assignment there?

Mr. ADAMS. Particularly influence.

Senator McCLELLAN. Particularly influence. Why do you inject money into it? There was no money offered, was there?

Mr. ADAMS. No, sir. Perhaps the word "money" was incorrect. He was a very wealthy young man.

Senator McCLELLAN. Why didn't you assign him to the New York area and appease and get it all over with?

Mr. ADAMS. I considered it was improper. Senator, I would like to say this: On one occasion I remember coming back from New York after this subject had been under consideration—I think it was when I was riding home in a cab after having come back from Newark with Frank Carr. I thought to myself that I just must be out of my head because this trouble, this pestering, all of this stuff could be solved so simply if we would just go ahead and arrange for the assignment——

Senator McCLELLAN. You had a feeling that if you would do these things that would end it?

Mr. ADAMS. I had that feeling then. I have that feeling now.

Senator McCLELLAN. Do you think it would have ended the hearings?

Mr. ADAMS. I don't know whether it would have ended the hearings.

Senator McCLELLAN. Is that what you had in mind, that it would end the hearings?

Mr. ADAMS. No, sir. I knew it would end the pestering.

Senator McCLELLAN. End the pestering?

Mr. ADAMS. That is right. I was made aware by Mr. Cohn, Mr. Carr, and Mr. Sokolsky of the fact that the Army's troubles would continue with this committee as long as Schine's assignment was unsatisfactory and I was also led to believe by conversations with those people that if Schine's assignment suited Mr. Cohn, the Army's troubles would be over, as they said.

Senator McCLELLAN. Why didn't you agree not to send him overseas?

Mr. ADAMS. Why didn't I——

Senator McCLELLAN. You were asked to do that, were you not?

Mr. ADAMS. No. I was the one who brought up the subject of overseas duty.

Senator McCLELLAN. I thought they inquired what his next assignment was going to be and they wanted to be sure he didn't go overseas. That is your testimony.

Mr. ADAMS. Well, if I stated that, that is not correct. They asked me what his next assignment would be, and they wanted to be sure it was New York. That seemed to be their consistent target.

Senator McCLELLAN. Did you not state that they did not want him to go overseas? Didn't you state that in your direct testimony?

Mr. ADAMS. I stated how they had reacted to my suggestion that he might go overseas.

Senator McCLELLAN. When you suggested that he might go overseas you say the reaction wasn't pleasant?

Mr. ADAMS. Very unpleasant, sir.

Senator McCLELLAN. Very unpleasant?

Mr. ADAMS. Yes, sir.

Senator McCLELLAN. That gave you the impression, then, that they didn't want him to go overseas; is that correct?

Mr. ADAMS. Yes, sir.

Senator McCLELLAN. Why didn't you agree to it? That would have settled the whole thing, wouldn't it?

Mr. ADAMS. I felt it was improper. I felt that we had an obligation to all of the men in the service and that every soldier must take his assignment however the assignment system developed it.

Senator McCLELLAN. You did have the authority, you or the Secretary, to grant him a direct commission, did you not?

Mr. ADAMS. The Secretary had that authority; yes, sir.

Senator McCLELLAN. You also had authority to send him to West Point to read text books?

Mr. ADAMS. Yes, sir. The Secretary did.

Senator McCLELLAN. You had the authority to assign him to New York area, didn't you?

Mr. ADAMS. Yes, sir.

Senator McCLELLAN. You do have authority to keep him from going overseas, don't you?

Mr. ADAMS. Yes, sir.

Senator McCLELLAN. Are you going to exercise that authority?

Mr. ADAMS. It is my understanding the Secretary of the Army intends to do nothing with reference to the assignment of Private Schine other than what develops as the normal process of the assignment system.

Senator McCLELLAN. Why didn't you feel that you should grant this request in order to get along with the committee as you say?

Mr. ADAMS. We have a responsibility to too many people, sir. There have been 10 million people who have been in the Army in the last 10 years and there are going to be millions of men in the years ahead of us. They almost all of them come in under the selective service system. When the day comes, sir, when the people of this country begin to mistrust the integrity of the selective-service system, the Congress will take it off the books. The day the Congress takes the selective-service system off the books, sir, the strength of the Army, the strength of the Marine Corps, Navy, and Air Force, will deplete 50 percent.

Senator McCLELLAN. This is not an unusual request for the Department to receive, is it, to keep some boy from going overseas? Don't you receive those requests frequently?

Mr. ADAMS. Requests of that sort come in, sir. They don't come through me. I don't ordinarily see them.

Senator McCLELLAN. You don't ordinarily handle them?

Mr. ADAMS. No, sir.

Senator McCLELLAN. Do you regard it as a request for preferential treatment when such requests come in?

Mr. ADAMS. Under certain circumstances they are preferential treatment and under some circumstances it is what they call humanitarian or compassionate reasons. There may be a situation where a young man's mother is ill.

Senator McCLELLAN. I understand.

Mr. ADAMS. There may be a situation——

Senator McCLELLAN. But except for hardship or compassionate reasons, do you regard such requests just to keep somebody from going overseas, do you regard it as a request for preferential treatment?

Mr. ADAMS. I do, sir; yes.

Senator McCLELLAN. Did you regard this request as preferential treatment?

Mr. ADAMS. Very definitely.

Senator McCLELLAN. Did you regard the request for a direct commission in the Army as a request for preferential treatment?

Mr. ADAMS. As I say, sir, I wasn't present during the time of that request. Many such requests come in and the young men are evaluated.

Senator McCLELLAN. Well, there is nothing wrong in making the request, initially?

Mr. ADAMS. No, sir: there is nothing wrong with making the request and there is nothing wrong with commissioning a man if he is qualified. Many men are in special branches.

Senator McCLELLAN. That is correct. So, if there is anything related to that, just the request for direct commission, that would be misconduct here, it was not the initial request but the pursuit of it after they knew or had been told that he didn't qualify?

Mr. ADAMS. That is correct, sir.

Senator McCLELLAN. Now, did they pursue that request after they had been so advised?

Mr. ADAMS. It is my understanding that there was such pursuit, sir, but I was not a participant.

Senator McCLELLAN. Then, when that failed, they went to these next requests, down the line as I have mentioned?

Mr. ADAMS. May I have that question again, sir?

Senator McCLELLAN. Then when that failed, they couldn't get a direct commission, they went to these next requests?

Mr. ADAMS. Yes, sir.

Senator McCLELLAN. Making further requests?

Mr. ADAMS. Yes, sir.

Senator McCLELLAN. How many times have you been called to try to keep some private off of KP since you have been in the Army?

Mr. ADAMS. Once.

Senator McCLELLAN. By whom?

Mr. ADAMS. Mr. Cohn. Mr. Cohn. Correction. Mr. Carr. And I say once, it was twice. Once by Mr. Carr and I presume that the call which I did not accept from Mr. Cohn was for the same purpose.

Senator McCLELLAN. May I ask you if that is unusual for the call to come into the high level that you occupy with the Secretary of the Army requesting that a private be kept off of KP?

Mr. ADAMS. It is so unusual, sir, it is nothing short of fantastic.

Senator McCLELLAN. Did it ever occur before that you know of? Do you have any personal knowledge of it ever occurring before?

Mr. ADAMS. A call to anyone in the Army about that, do you mean?

Senator McCLELLAN. A call from any one at the high level of the Secretary's office or the counsel's office, to keep a private off of K. P.

Mr. ADAMS. I have no personal knowledge, sir.

Senator McCLELLAN. Do you have any information—

Senator MUNDT. The Senator's time has expired.

Senator McCLELLAN. All right.

Senator MUNDT. Senator Potter, you have 10 minutes.

Senator POTTER. Mr. Adams, is it your testimony that if Private Schine had received a commission or if he had received favorable assignments in New York, the hearings at Fort Monmouth would have been discontinued?

Mr. ADAMS. Well, I don't know about the hearings at Fort Monmouth. I don't think that they would have been discontinued.

Senator POTTER. Well, is it your testimony that your difficulties with Mr. Cohn would have ceased?

Mr. ADAMS. Well, there is no doubt about that in my mind, sir, and subsequent to the first of the year I was made continuously aware of the fact that the so-called abuse of the Army, which was coming from the committee, would terminate if Schine's assignment to New York was arranged.

Senator POTTER. Now, Mr. Adams, I would like to have you refer to the specifications presented by Senator McCarthy and Mr. Cohn and Mr. Carr. On page 3, the last paragraph of point No. 4, I will read the sentence on which I would like to ask questions later:

There are and were Communists and other security risks in the Army which needed and received, until stopped, public exposure.

The question I would like to ask you, Mr. Adams: Are there now Communists and other security risks in the Army?

Mr. ADAMS. Well, sir, I don't know how many Communists there are. As Mr. Stevens stated earlier, we must always assume that there is Communist infiltration. There is a continuing problem with reference to security risks in all agencies of government just as there is in the Army. We have a continuous number of investigations always underway at all posts, Army headquarters, and in the Security Division of G-2 in Washington, of individuals who are alleged to be security risks. So it must be admitted, sir, it must be assumed, that there are Communists, and it must always be assumed, until proved otherwise, that individuals against whom there are allegations, may be security risks.

Senator POTTER. Are you satisfied with the loyalty procedure that now exists in the Army to root out Communists and other security risks?

Mr. ADAMS. Do you mean the investigative procedure?

Senator POTTER. Well, whatever procedure you have. Yes, your investigative procedure and I assume your loyalty board structure. I am not too familiar as to what the structure might be. But I want to know if you, and I assume you would speak for the Secretary, are satisfied with the present procedure.

Mr. ADAMS. Sir, that subject is always subject to review. It always can be improved. As recently as 2 months ago we have made changes in regulations because of the fact that we discovered a defect in regulations which permitted a security risk to remain in the service longer than he should have after he was isolated. There is a constant, a continuing effort to improve our programs.

Senator POTTER. I believe that you have testified, and Secretary Stevens has testified, that as a result of the investigation and hearings at Fort Monmouth, security risks were removed much faster than they normally would have.

Now, if that is the case, it would seem to me there could be a tightening up or a faster process for removing security risks within the Army. Would you agree with that contention?

Mr. ADAMS. Well, I not only agree with that contention, sir, but I remind you I think Mr. Stevens testified, and I think that I made reference yesterday to the fact that when Senator—when Secretary Stevens became first aware of the Fort Monmouth investigation, of the facts about Fort Monmouth, he caused a reexamination to be made of the procedures by which security risks are suspended, and he caused—I am not sure I said this yesterday—he caused a special new instruction to go out on October 29, which he directed on October 9 or October 8. The instruction was an instruction to commanders on the spot to exercise the authority which already had been delegated to them to suspend, if they felt reason to, without waiting for recommendations to go through the machinery to Washington which might take a great deal longer time.

Senator POTTER. Has this new procedure resulted in any better action in removing subversives in the Army?

Mr. ADAMS. Well, it resulted in Fort Monmouth in the actions which General Lawton took in suspending during October about 30 people, and action which otherwise, under the old practices, might have taken much longer.

Senator POTTER. Is the Army in charge of the security of all Army personnel? Someplace I was informed that the screening boards or loyalty boards are designated by geographical location. In other words, the Air Force has a certain part of the United States, the Army another part, and the Navy another part. Is that correct?

Mr. ADAMS. Sir, may I describe it? I think there is a little confusion. If I may, I would like to describe it.

Senator POTTER. That is not unusual.

Mr. ADAMS. I don't attribute it to you, sir. It is very naturally a matter of confusion.

The Army has a responsibility for the security of all Army personnel, and in handling security matters of Army personnel they are processed through a hearing board initially at the Army area, and then they are reviewed by the review board or screening board in Washington.

The thing to which you refer, and in which there is a geographical distribution, with the responsibility belonging to one service in one

area, is the industrial security program, which is the responsibility of the boards which hear the cases of civilian employees of defense plants.

For instance, in New York, in the New York area, the Air Force might be or the Navy might be—the Army in the New York area has the responsibility. If there is a defense contract given to a private firm in the New York area by the Air Force and there are security matters involving employees of that private firm, they are heard by an industrial security board which it is the responsibility of the Army to staff. By the same token, in another part of the country the Navy may have the responsibility. There may be an Army contract given to a private firm, we will say, in Chicago—

Senator POTTER. This deals entirely with civilian personnel?

Mr. ADAMS. Industrial security; yes, sir.

Senator POTTER. Who are working on defense contracts?

Mr. ADAMS. That is right. That is the difference.

Senator POTTER. If you will turn to page 6 of Senator McCarthy's specifications, No. 10, I wish to read the latter part of that specification. It states:

Without spending unnecessary time on the charges of Mr. Stevens and Mr. Adams that their treatment of Mr. Schine influenced the investigations, it should be noted that Mr. Schine is still a private in the Army, and news stories quoting reliable sources have stated that the reason he was not given the consideration to which he would otherwise have been entitled was because of his connection with the committee.

The first question I would like to ask you, Mr. Adams: Did Private Schine receive preferential treatment?

Mr. ADAMS. The only treatment which he received which was out of the ordinary was in making him available to the committee for committee business.

Senator POTTER. But there has been testimony—I believe by yourself and also by the Secretary—that that wasn't necessarily preferential treatment.

Mr. ADAMS. No, Mr. Stevens considered that he was making—that he was taking a step which was to assist the committee in its work.

Senator POTTER. Did Mr. Schine himself ask for special consideration from you?

Mr. ADAMS. No, sir. I know Mr. Schine very slightly. I saw him in New York. I sat next to him at lunch one day. I saw him interrogate during 2 days of hearings. I spoke to him after 2 meetings for maybe as long as 2 or 3 minutes. I shook hands with him when I got off the airplane on November 17 at Camp Dix. That is about the extent of my acquaintance with Mr. Schine.

Senator MUNDT. The Senator's time has expired.

Senator JACKSON, 10 minutes.

Senator JACKSON. Mr. Adams, were you convinced that Mr. Carr initiated any of the requests that he made to you from time to time? I am speaking now in general.

Mr. ADAMS. I never had the feeling that he had been instructed to talk to me, no. I felt that he—I felt that they were voluntary conversations on his part.

Senator JACKSON. I mean, did you really believe that in the overall setup which you understood pretty well, in which Mr. Cohn was general counsel, Senator McCarthy being the chairman of the committee, Mr. Carr the executive director—did you really believe that Mr. Carr was as an individual putting any pressure on you?

Mr. ADAMS. As I started to state to Senator Mundt, I felt that the pattern changed after January 20. Mr. Carr did call me in Sioux Falls, S. Dak. He did call me at Amherst, Mass. Both of those incidents were before January 20. He did talk to me at some length about Schine when we came back on the train from New York.

Senator JACKSON. I mean, did you interpret those calls as being initiated by Mr. Carr, or was he merely relaying a request from Mr. Cohn?

Mr. ADAMS. Frankly, Senator Jackson—

Senator JACKSON. I want you to be as candid as you possibly can.

Mr. ADAMS. I am trying to be.

Senator JACKSON. And try to give your state of mind at the time. What did you think?

Mr. ADAMS. Frankly, I often puzzled to myself as to whether or not this was one technique, while Mr. Cohn's tactics were another technique, or whether or not he was assigned to make these calls, or whether or not he felt that he was giving me friendly advice. It was a puzzling situation.

Senator JACKSON. Up until January—let's say prior to the Sioux Falls call—did you believe in your own mind, were you convinced in your own mind that he was initiating any of these calls himself, or that any of his conversations—

Mr. ADAMS. The conversation we had on the train coming back from Newark, which took quite a long time, I am sure he hadn't been instructed that he was to talk to me when he got on the train. The subject came up naturally. I remember thinking to myself about the time the train came through Baltimore that we had talked about practically nothing else. There had been some other allusions, but it seemed most unusual to me that so much time would be devoted to Schine. I had no feeling that he had been instructed when he got on the train that he should discuss that matter with me.

Senator JACKSON. Did he ever use any vituperative language or was he demanding?

Mr. ADAMS. No, he never did.

Senator JACKSON. Actually, don't you think maybe he was just carrying out instructions or relaying a request?

Mr. ADAMS. I don't know, sir. I was puzzled about it. It was a puzzling situation. It really was.

Senator JACKSON. You mean you were puzzled in your own mind just what his role was?

Mr. ADAMS. What his—well, he always said to me, "I have no personal interest in this, but I really think you ought to understand the trouble you are going to be in and the continuing trouble you are going to be in unless—"

Senator JACKSON. But he wasn't threatening you?

Mr. ADAMS. No. He didn't threaten me.

Senator JACKSON. Would you say that he was merely relaying requests from Mr. Cohn?

Mr. ADAMS. No. He wasn't relaying requests. He was relaying a request, I think, at the time he called me at Amherst. I had a feeling that his inquiry when he called me at Sioux Falls, S. Dak., was because he perhaps had been instructed to make the call. I didn't know,

however. But in his conversations he persistently drove at the point in a very different way.

Senator JACKSON. You can't say for certain that his words were his own? I mean in reference to his personal conversations and telephone——

Mr. ADAMS. I think they were his own. I think he was telling me things that he wouldn't have told Cohn. I think he was telling me, "You are going to be in trouble with Cohn continuously."

Senator JACKSON. You really think he was doing it on his own?

Mr. ADAMS. Up until the 20th of January, I really felt that he was an agent and that he was more or less transmitting requests, and at the same time trying to advise me of the trouble we faced.

But the situation changed after January 20.

Senator JACKSON. After January 20?

Mr. ADAMS. Yes, sir.

Senator JACKSON. You would say positively that prior to January 20, the goings-on were pretty much of a relay nature between Mr. Carr and yourself?

Mr. ADAMS. I didn't find it personally obnoxious, and I think I so stated to Senator McClellan when I talked to him about that time, that I hadn't felt up to then that Mr. Carr's behavior or attitude with reference to Schine had been in any way improper. But I think that the pattern changed subsequent to January 20.

Senator JACKSON. When he talked to you about what he thought was good advice to you, do you believe that he was trying to put pressure on you or do you think he was trying to convey to you what he thought was the wisest course for you to follow in this, not being his judgment but a judgment based on what he knew the position of the committee might be?

Mr. ADAMS. I think there was a little of both. In some part of it he was conveying to me his judgment. I don't think that his telephone call at Amherst had anything to do with judgment. I don't think his telephone call to me in South Dakota had anything to do with judgment. But I think that the accumulative effect could be considered in the final analysis of all we came to know by the first of March, as a form of pressure.

Senator JACKSON. Isn't there a serious question in your mind whether Mr. Carr was doing any of these things on his own?

Mr. ADAMS. There was a doubt in my mind, as I have stated. I felt if there had been no Cohn pressure, there could have been no Carr pressure.

Senator JACKSON. Now, turning to Fort Dix a moment, as I understood the testimony previously, General Ryan was contacted in the beginning, and was advised that Private Schine should be made available from time to time for committee business.

Mr. ADAMS. Yes, sir.

Senator JACKSON. Did you make any attempt to find out whether Private Schine was working on committee business?

Mr. ADAMS. Did, I? No, sir. We took the committee's word for it.

Senator JACKSON. Let me ask you this: You are aware of—what was this—the long Thanksgiving weekend?

Mr. ADAMS. The long weekend of November 18?

Senator JACKSON. It started on a Wednesday or Thursday, over until Monday or Tuesday.

Mr. ADAMS. Over to Monday; yes.

Senator JACKSON. Was that the Thanksgiving weekend?

Mr. ADAMS. No; it preceded the Thanksgiving weekend.

Senator JACKSON. Do you know if that was on committee business?

Mr. ADAMS. I don't know; no, sir. The request came to General Ryan from a member of the committee staff. That is all I know, sir.

Senator JACKSON. The thing that I don't quite understand in connection with this operation at Fort Dix is who determined when he was to leave. Did Private Schine simply request of his company commander, "I have committee business tonight, I take off." What was the approach?

Mr. ADAMS. It was my understanding that telephone calls ordinarily came from a member of the committee staff to General Ryan's aide, Lieutenant Blount, and were by him transmitted to the company commander.

Senator JACKSON. How many calls?

Mr. ADAMS. I don't know, sir. I don't have those facts.

Senator JACKSON. You testified there was a request to get off KP.

Mr. ADAMS. Yes, sir; that was on January 9, a telephone call to me.

Senator JACKSON. What day of the week was January 9?

Mr. ADAMS. It was a Saturday. Schine was in New York on Saturday and had been instructed that he had to be back on Saturday night for KP duty on Sunday, and it was on Saturday afternoon that I received the call.

Senator JACKSON. Were you requested to get him off KP to engage on committee business on Sunday?

Mr. ADAMS. I was told that he was in New York, and I don't remember the exact conversation but the inference, I think, the suggestion, was made that he was working with Mr. Cohn and that he had to go back to KP and they didn't want him to.

Senator JACKSON. The inference was—

Mr. ADAMS. That it was committee business.

Senator JACKSON. That he was to work on committee business on Sunday and therefore he shouldn't be on KP?

Mr. ADAMS. Yes, sir; I think so.

Senator JACKSON. Or shouldn't be on duty?

Mr. ADAMS. I am not quite sure, but that was the inference.

Senator JACKSON. He was to be given a pass for Christmas or New Year's, but not both?

Mr. ADAMS. That is my understanding; yes, sir.

Senator JACKSON. Well, when he got a pass on both occasions, did you attempt to follow up whether he was working on committee business on Christmas and New Year's?

Mr. ADAMS. No, sir; I didn't know about those incidents to my recollection until subsequent to New Year's. I found out about it because Mr. Cohn telephoned me and told me that Mr. Schine was under investigation. I telephoned General Ryan to find out what it was about, because Cohn was concerned about it. I merely wanted the information myself. General Ryan told me in very short order that there had been an investigation started but the facts were so confused that they decided to drop the matter, that there was some doubt as to where the fault lay.

Senator JACKSON. During all of these calls, you had a lot of them with General Ryan to arrange a pass and to do this and to do that.

Why was it necessary to keep calling if this arrangement had been worked out for Private Schine with General Ryan to work on committee business?

Mr. ADAMS. Well, I didn't call General Ryan to arrange a pass other than on that date of November 18, as a result of his call to me. I called him on about November 10 to advise him of the Secretary's concessions, and then my recollection is that the next time I called General Ryan was on December 28 for the purpose of inquiring as to what Schine's future assignment would be. Then, I called him on January 4 for the purpose of asking him about this investigation which Cohn was concerned about. But I didn't—I didn't call to arrange passes, I didn't call to report, to inquire about KP or about Schine's duties generally.

Senator MUNDT. The Senator's time has expired.

Senator DWORSHAK?

Senator DWORSHAK. Mr. Adams, Secretary Stevens and you spent a great deal of time in contacting members of the staff of the subcommittee and holding conferences with members of the staff to discuss the status of Schine immediately prior to his induction and after his induction. Did you ever make any contacts with other members of the committee other than the chairman?

Mr. ADAMS. Prior to his induction?

Senator DWORSHAK. Yes.

Mr. ADAMS. Not to my knowledge, sir.

Senator DWORSHAK. Afterward?

Mr. ADAMS. The contacts I made with reference to Schine were made with the committee in the middle of January.

Senator DWORSHAK. You had been contacting members of the staff prior to his induction? You held many conferences with Roy Cohn concerning David Schine?

Mr. ADAMS. Well, prior to his induction, I don't think it is correct that I held many conferences with Mr. Cohn. The subject was discussed concurrently with other matters. I don't recall that there was any meeting or conference initiated for that sole purpose.

Senator DWORSHAK. Well, you have testified that you were greatly disturbed because of your failure to mollify or, you might say, appease, Roy Cohn, and because he displayed anger over the lack of cooperation he received from the Department of the Army; is that true?

Mr. ADAMS. Yes, sir.

Senator DWORSHAK. Did you think throughout this interim period that Mr. Cohn was representing the subcommittee in any contacts he made with you concerning the status of Mr. Schine?

Mr. ADAMS. Well, I was always aware of the fact that he represented the chairman, and the meetings which occurred during that period of the committee were almost invariably attended only by the chairman, to my knowledge, and it was never out of my mind, sir.

Senator DWORSHAK. At any time did you confer with other members of the subcommittee?

Mr. ADAMS. During that period?

Senator DWORSHAK. Yes.

Mr. ADAMS. No, sir; not to my recollection at this moment.

Senator DWORSHAK. Well, if you encountered great difficulty in your efforts to maintain friendly relations with the committee staff, why

did you not confer with other members of the subcommittee or ask for an official meeting so that you, representing the Secretary, might submit some of these matters and try to resolve any difficulties which may have existed at that time?

Mr. ADAMS. Well, as I previously stated, sir, the situation did not become oppressive to me until subsequent to November 10, which was the occasion that Schine arrived at Fort Dix and 1 month after that, on December 9, I did speak to Senator McCarthy about it, and then another 40 days later, on January 20, as a result of this ultimatum on the loyalty board matter and my feelings that it was related to Cohn's feeling about Schine, I talked to members of the subcommittee, those who were then on the subcommittee and I think at that time the Democratic members were not participating.

Senator DWORSHAK. The members individually rather than some official means?

Mr. ADAMS. That is right, sir. I had already talked to Senator Mundt and Senator McCarthy, and a representative of mine talked to the other members.

Senator DWORSHAK. Notwithstanding the hearings being conducted by either the subcommittee or the activities of the Department of the Army concerning subversives, security risks at Fort Monmouth, did it not occur to you that it might be advantageous in trying to maintain friendly relations to have a thorough understanding with the subcommittee concerning the status of David Schine, to what extent the subcommittee was interested in his welfare in the Army?

Mr. ADAMS. Well, I cannot say, sir, that that occurred to me; no, sir. I felt that the method we were using was the best method to use. It may not have been.

Senator DWORSHAK. In other words, you thought it might be not advisable to go over the head of Roy Cohn. I think you testified you did that on one occasion.

Mr. ADAMS. I did that. I did go to Senator McCarthy and then later I did go to members, to some of the Republican members of the subcommittee, and subsequent to my visit to them it is my understanding that those members met together to discuss this very problem on the 22d of January.

Senator DWORSHAK. Don't you think you might have avoided some of this unfriendliness and this friction if you had conferred with members of the subcommittee concerning this subject?

Mr. ADAMS. Sir, it seems to me as though I did confer with them.

Senator DWORSHAK. You exhausted all reasonable means to ascertain the views of the members of the subcommittee concerning David Schine?

Mr. ADAMS. I brought the matter to the attention of the Chairman one month after it became oppressive to me, and then another 5 weeks later, 5 or 6 weeks later, I brought the matter or the matter was brought to the attention of the other members of the committee, who were participating on the committee at the moment.

Senator DWORSHAK. So you do think that you discharged your duties in an efficient manner—

Mr. ADAMS. I beg your pardon. I didn't quite hear that.

Senator DWORSHAK. You do think, then, Mr. Adams, that you discharged your duties as liaison or representative of the Secretary of

the Army in trying to maintain cordial relations with the subcommittee?

Mr. ADAMS. Well, matters of this sort which deteriorate as this matter did are always subject to second-guessing, and looking back now you can speculate as to whether other methods might have been better. That seemed to the people with whom I was associated and with whom I consulted to be the best means by which to attempt to bring this matter to the attention of the committee. It may not have been. It may not have been done quickly enough.

Senator DWORSHAK. It would seem to me, from what I have observed during the past 2 weeks, that you were not quite as effective as you should have been in trying to contact the members of the subcommittee. If you considered it highly desirable that you have this friendly relationship, certainly you should have submitted this entire matter, it seems to me, to the full subcommittee so that if there were any misunderstanding, you might have eliminated it.

Mr. ADAMS. Senator, I might state that during the fall the Congress was not in session. The members were not in town. The matter during the last 8 or 9 weeks of the calendar year was a matter which probably could not have been brought to the attention of the subcommittee. Three weeks after the Congress reconvened the matter was brought to the attention of those members who were participating.

Senator DWORSHAK. Mr. Adams, I was greatly disturbed by the apparent indecisive action by the Department of the Army and Secretary Stevens in trying to follow through on the inspector's report of conditions at Fort Monmouth. Probably this question should have been asked of Secretary Stevens, but are you prepared to tell us why there has been no decisive action in following through at Fort Monmouth to expose and to take the proper action concerning subversives and security risks which may be found there?

Mr. ADAMS. I will have to have the question again, sir, because I thought you were talking about Fort Dix and I was thinking in terms of Fort Dix.

Senator MUNDT. The reporter will read the question, please.

(The reporter read from his notes as requested)

Mr. ADAMS. Do you mean action prior to October 1st or action now?

Senator DWORSHAK. Action at any time. It has been testified that the Inspector made an investigation. The report has been available to the Department of the Army and yet there has been no action, or has there been any action?

Mr. ADAMS. I am a little confused, sir, because you are using a term which is unfamiliar to me, an inspector's investigation. If you are asking what action has the Army taken and was it taken during the latter half of last year or thereabouts with reference to Fort Monmouth, I will answer that question. Is that what you are trying to find out, sir?

Senator DWORSHAK. I was specifically referring to the investigation that was made, as I understand it, by an inspector representing the Department of the Army of the security risks at Fort Monmouth. Has any action been taken on that report?

Mr. ADAMS. Sir, I don't mean to be—I am not trying to evade this question but I don't know what you mean by the inspector's report at Fort Monmouth. May I confer a moment with my associates?

(Mr. Adams conferred with his associates.)

Mr. ADAMS. Sir, there was—I wonder if you are talking about the Inspector General's report of the matter having to do with Major Peress at Camp Kilmer. There is such an inspector's report. There was no inspector's report at Fort Monmouth, and that is the reason I am confused.

Senator DWORSHAK. Has the Army followed up at Fort Monmouth after the activities of this subcommittee?

Mr. ADAMS. Yes, sir, the Army, as I think the Secretary stated, had been required by the promulgation of President Eisenhower's new Executive order in April of 1953 to reexamine all loyalty and security cases which might have been favorably decided, on the basis of the new criteria which the President's executive order promulgated.

Senator DWORSHAK. Have you taken any effective action yet?

Senator MUNDT. The Senator's time has expired.

Mr. ADAMS. May I finish this answer?

The President's Executive order made one principal difference between what was to be done in the future and what had been done in the past, and that was a determination that doubtful cases were to be resolved in favor of the Government rather than in favor of the individual where the matters were sensitive. That caused a reexamination of many cases. Those reexaminations had begun, not only at Fort Monmouth but in one hundreds of other installations all over the world. They were going forward, and are continuing to go forward. Every day and every week, I think new cases are taken from the files and reexamined to see whether or not, under the new criteria, further steps should be taken.

Senator MUNDT. Senator Symington?

Senator SYMINGTON. Mr. Adams, the primary charge against the Army would seem to be blackmail, the accusation that the Army stated it would issue these charges against the staff and Senator McCarthy if Senator McCarthy did not call off his investigation of the Army. According to the bill of particulars, most of these threats were made to the various principals, that is, the threat by Adams to Cohn and Carr, for instance.

But there is one time when this threat to the subcommittee is alleged to have been made to disinterested persons, and that is charge No. 36, which I will ask you to follow with me. This charge states, quote:

The following days, Mr. Adams communicated with other members of the subcommittee, and stated that unless the chairman was prevailed upon to drop his investigation, and not to issue subpoenas for those in the loyalty setup, Mr. Adams would cause an embarrassing report to be circulated about Mr. Cohn.

My question to you, sir, is: Is that true?

Mr. ADAMS. My answer to you, sir, is that that is false. The people to whom I talked are gentlemen who sit on that committee. I have no remembrance of making such a statement. My judges in that respect will have to be the gentlemen to whom I talked, three of the members of the committee.

Senator SYMINGTON. Mr. Chairman, this would seem to go to the very heart of the matter, and therefore I think the members of the subcommittee who were contacted, either by Mr. Adams or his deputy, should say now, or at the earliest opportunity, whether or not the Army threatened to issue this report unless the members of the subcommittee

could prevail on Senator McCarthy to call off his investigation of the Army.

Mr. ADAMS, I would like to ask you this: You mentioned that sometime before January 21 you talked with the Deputy Attorney General about the question of the loyalty board members answering subpoenas. Did you at that time discuss the case of Mr. Schine?

Mr. ADAMS. On that occasion, I did, yes, sir.

Senator SYMINGTON. You say you talked to the Deputy Attorney General at the suggestion of Mr. Hensel?

Mr. ADAMS. I did, sir.

Senator SYMINGTON. Did you discuss Mr. Schine at that time with Mr. Hensel?

Mr. ADAMS. I did not, sir.

Senator SYMINGTON. You did not?

Mr. ADAMS. No, sir.

Senator SYMINGTON. You say you discussed this matter with Mr. Hensel a month prior to this which would have been in December?

Mr. ADAMS. I discussed the matter of the loyalty board problem with Mr. Hensel in December.

Senator SYMINGTON. Did you discuss Mr. Schine?

Mr. ADAMS. No, sir.

Senator SYMINGTON. Did you discuss—correction. One of the points of these questions is—did you feel the loyalty board situation would be better or worse from the standpoint of the Army based on what you did with Mr. Schine?

Mr. ADAMS. Did I feel that it would be better or worse?

Senator SYMINGTON. Yes, based on what you did with Mr. Schine.

Mr. ADAMS. Well, by that time, sir, on January 20, I think the die was cast and we had already done—

Senator SYMINGTON. Would you answer the question a little more directly?

Mr. ADAMS. May I have the question asked again, sir?

Senator SYMINGTON. Yes, sir. One of the points of these questions is did you feel the loyalty board situation would be better or worse from the standpoint of the Army, based on what you did with Mr. Schine? I am talking about the time you discussed this with Mr. Hensel.

Mr. ADAMS. Well, that is in December, I think.

Senator SYMINGTON. Well, it would be either in December or it would be in January.

Mr. ADAMS. The loyalty board matter in December was not an immediate issue insofar as I knew. It was below the surface and I don't think I had a feeling at that time that Schine, or Schine's treatment, would affect what happened with reference to the loyalty board matters, but I did have a feeling then that everything adverse to the committee desires or Mr. Cohn's request with reference to Schine, would result in difficulties for the Army.

Senator SYMINGTON. So your testimony is that both in December and January you discussed the loyalty board situation, that Army problem, with Mr. Hensel, but you did not discuss the question of Mr. Schine, is that correct?

Mr. ADAMS. Yes, sir.

Senator SYMINGTON. Why didn't you discuss it with Mr. Schine?

Mr. ADAMS. With Mr. Hensel?

Senator SYMINGTON. Why didn't you discuss Mr. Schine with Mr. Hensel?

Mr. ADAMS. Well, it was an Army problem. I was talking only about the loyalty board matter and the fact that it was something that was continuously before us. It was below the surface but we might have to make a decision on it someday, and I was trying to clarify the Defense Department's position. I wanted to be sure that whatever position the Army took would be the same as the Navy and Air Force. I wanted to be sure it was the same as the Office of the Secretary of Defense would take. Mr. Hensel was the official who would make the decision in the Office of the Secretary of Defense. It was the sole matter I was discussing. It was a legal matter.

Senator SYMINGTON. Why was Ambassador Lodge at the meeting on January 21?

Mr. ADAMS. I don't know, sir. I didn't arrange for his presence.

Senator SYMINGTON. Was there anything that you discussed that had to do with the United Nations?

Mr. ADAMS. Anything that we discussed?

Senator SYMINGTON. Yes.

Mr. ADAMS. With the United Nations? I don't think the United Nations was discussed; no, sir.

Senator SYMINGTON. What do you think he was there for?

Mr. WELCH. Mr. Chairman?

Senator MUNDT. Have you a point of order, Mr. Welch?

Mr. WELCH. I have a point of order.

Senator MUNDT. You may state it.

Mr. WELCH. This was a high-level discussion of the executive department, and this witness has been instructed not to testify as to the interchange of views on people at that high level at that meeting.

Senator SYMINGTON. Does that mean we are going to get the information about low-level discussions but not about high-level discussions?

Mr. WELCH. That is only, sir, what I have been informed. If the committee wishes to summon people who were at that meeting, they can deal with it.

Senator SYMINGTON. Mr. Counsel, is there any particular reason that you object to Mr. Adams' stating why Mr. Lodge was there if he knows, and what Mr. Lodge said?

Mr. WELCH. I do not object to his stating why Mr. Lodge was there, if he knows. I think he answered already to the effect that he doesn't know.

Senator SYMINGTON. I was going to ask him what Mr. Lodge said.

Mr. WELCH. That is the point of my objection.

Senator SYMINGTON. You do not like that?

Mr. WELCH. It isn't a point of what I like. It is a point of what the witness has been instructed.

Senator SYMINGTON. Mr. Welch, as I remember the testimony, Mr. Adams volunteered that Mr. Lodge was there. Is that for window dressing as far as Mr. Lodge is concerned? Haven't we a right to know what he said? I think once he volunteered Mr. Lodge was there. I think we have a right to know why he was there, if he knows, and what he said when he was there.

Mr. WELCH. I can only say, sir, that the instructions from the executive department are to the effect that the witness should not answer this line of questions as to what took place at that interview.

Senator SYMINGTON. What do you mean by the executive department? Whose instructions are they?

Mr. Chairman, does this discussion have to come off my time?

Senator MUNDT. The Chair will take time out.

Mr. WELCH. Mr. Chairman.

Senator MUNDT. Time back in. Go ahead.

Mr. WELCH. As you know, I was ill yesterday, not very ill but ill enough—

Senator SYMINGTON. I am beginning to regret—

Mr. WELCH. I didn't hear you.

Senator SYMINGTON. I am beginning to regret your illness more today than yesterday, and that was plenty.

Mr. WELCH. The instructions came, as I understand it, yesterday, through the Department of Defense, or at least were delivered to the witness by somebody in the Department of Defense.

Senator SYMINGTON. Who?

Mr. WELCH. I do not know, sir.

Mr. ADAMS. The instructions came to me orally, sir, and the indications were that they were instructions from the Deputy Secretary of Defense.

Senator SYMINGTON. Who is that?

Mr. ADAMS. Mr. Robert B. Anderson.

Senator SYMINGTON. Will you find out for the hearing this afternoon why Mr. Robert B. Anderson has taken it upon himself to tell you what you could and could not testify before this committee?

Mr. ADAMS. It was my understanding, sir, that he was transmitting instructions.

Senator SYMINGTON. From where?

Mr. ADAMS. I don't know, sir, but I understand he was transmitting—

Senator SYMINGTON. Is this embarrassing to you?

Mr. ADAMS. It is not embarrassing to me, sir.

Senator SYMINGTON. Do you think it is embarrassing to anybody else?

Mr. ADAMS. I don't know, sir.

Senator SYMINGTON. Would you find out where Mr. Anderson's instructions came from?

Mr. ADAMS. I will be glad to, sir.

Senator McCLELLAN. Mr. Chairman?

Senator MUNDT. Mr. McClellan, a point of order?

Senator McCLELLAN. You have before you a point of order.

Senator MUNDT. What is your point of order, Mr. Welch? For your information, may the Chair state that the name of Ambassador Lodge was brought into this controversy and this discussion by Mr. Adams voluntarily yesterday, not by any of the members of this committee.

Mr. WELCH. That is correct, sir.

Senator MUNDT. That being correct, it seems to me that Senator Symington is quite entitled to pursue his line of questioning so long as Mr. Adams undertook to bring in the name of Cabot Lodge. Had Mr. Symington initiated it, the Chair would rule otherwise. But it

seems to me that the questions are appropriate insofar as Mr. Adams said Mr. Lodge was in on the discussion.

I recognize that you were not here yesterday.

And in all events, I think Mr. Adams has agreed to find out for you, Senator Symington, the answer to the question that you asked.

Senator JACKSON. Mr. Chairman, may I make the further point of order—

Senator MUNDT. Let me find out first of all whether we are satisfied on that point of order.

Mr. WELCH. What is the current question, Mr. Chairman?

Senator MUNDT. The current question is that the Chair has decided that Senator Symington has a right to ask Mr. Adams about Mr. Lodge or anybody else that Mr. Adams brings into this controversy voluntarily. I think that is correct.

Mr. WELCH. I quite agree that Senator Symington may ask questions. I am informing the Chair that the witness has been instructed not to deal further with that conference in respect to which he has testified, beyond his testimony of yesterday.

Senator MUNDT. The Chair, of course, has no control over those instructions. I think that Senator Symington is correct in asking the question. Do you have a point of order, Senator Jackson?

Senator JACKSON. Mr. Chairman, I make this further point of order, that the witness waived any right to claim immunity from discussing what went on at this conference when the matter was brought up by him yesterday and when no objection was interposed on his side against relating such conversations. Now, I think that maybe this testimony may be embarrassing to the administration, and I do not think that because it is embarrassing to the administration and favorable to Senator McCarthy, that it ought to be deleted. I think we should get all the facts out on the table and I think we should know whether new instructions have been issued, because there may be some information that went on within the Defense Department and between the Defense Department and the White House that is now embarrassing. I think this issue has to be settled immediately if we are going to get all the facts out on the table.

Now, the Army has testified, Mr. Chairman, heretofore, to conversations—

Senator MUNDT. Will Senator Jackson state his point of order first, before he argues it?

Senator JACKSON. I am making the point of order.

Senator MUNDT. The Chair has already ruled on the point of order that you have raised, that the question Senator Symington asked was appropriate. The Chair cannot force any witness to testify if he says he will not or cannot, or has to consult with somebody first. I understood Mr. Adams to say he would consult over the lunch hour to see whether he could answer Senator Symington's question.

Senator JACKSON. I think it goes to the whole question from here on out. The Army has permitted testimony which went on within the Defense Establishment, within the executive branch, heretofore, when it may be favorable to them. Are we from now on not going to permit testimony relating to conversations which took place within the executive branch because it may not be favorable to their side?

Senator MUNDT. May the Chair say that he was just as surprised as anybody in this committee to find that the American Ambassador

to the United Nations had been brought into a discussion about what to do about Private Schine. [Laughter.] Since that was the testimony of Mr. Adams under oath, I certainly feel you have a right to ask him questions; but I feel that Mr. Adams does have the right to find out what his instructions are before he testifies.

Senator JACKSON. Then I make the further point——

Senator MUNDT. I don't require him to testify immediately.

Senator JACKSON. The committee ought to be advised if there has been an Executive order issued, and if instructions have been issued I think this committee should find out now whether it covers just this conversation or whether it covers all conversations that went on between the various official within the executive branch of the Government, because we are going to be foreclosed here immediately from asking any further questions relating to conversations between officials within the executive branch. Heretofore, those conversations have been coming in when they have been favorable. Now that they are unfavorable, are they to be excluded?

Senator MUNDT. In the interest of expediting the hearings, he does not believe that points of order should be argued after they have been ruled upon. The Chair has ruled.

Senator SYMINGTON. These points of order have got me a little dizzy now. I would like you to tell me when I can start to interrogate the witness.

Senator MUNDT. You will be advised as soon as the Chair has convinced Senator Jackson that he has ruled on the point of order and he is not asking to plead it any further. The Chair has said that he thinks Mr. Adams has made an appropriate request that he have an opportunity through the lunch hour to find out just what his instructions are and where they came from, and then he will reply to your question when he has the information.

Mr. WELCH. Mr. Chairman, could I add one other remark?

Senator MUNDT. The Chair believes now, if we are not going to go back to the policy of having prolonged discussions on the part of counsel, you should make your remark after you have stated your point of order. What is your point of order, sir?

Mr. WELCH. It is very short. Mr. Jackson indicated that the testimony, if pursued, would be unfavorable to the Army side. Quite the contrariwise, in my mind.

Senator MUNDT. That isn't a point of order, sir. You are not here as a witness. What is your point of order, Senator Jackson, if you have one?

Senator JACKSON. I have made my point of order.

Senator MUNDT. The Chair has ruled on it.

Senator SYMINGTON may continue. Time back in.

Senator SYMINGTON. I thank the Chair. Incidentally, these questions are being asked, not to embarrass anybody, only to try to get the truth before the committee.

Now, Mr. Adams, you said that at the suggestion of Gov. Sherman Adams you made up this report with respect to Mr. Schine; is that correct?

Mr. ADAMS. Yes, sir.

Senator SYMINGTON. What was the position of Mr. Lodge with respect to that report? Did he approve it or did he disapprove it?

Mr. ADAMS. It was a very casual conversation, sir, but I think this falls within the same inhibitions that I have, which Mr. Welch has stated earlier.

Senator SYMINGTON. In other words, you feel he was just there for the ride, or did he say anything; and if so, what did he say?

Mr. ADAMS. Senator Symington, very respectfully, sir, I would like to state that I believe that within the instructions I have, I would like your permission to defer answering matters having to do with that until subsequent to the lunch hour.

Senator SYMINGTON. Very well, sir.

Will you tell the committee what the position was at this meeting that was taken by the Attorney General, Mr. Brownell?

Mr. ADAMS. Sir, I take the same position, I must answer you in the same way, that my instructions encompass the entire meetings.

Senator SYMINGTON. Mr. Adams, I have a little experience on the Executive side. You say something about some or all remark or suggestion or order that was given to you. Will you bring something in writing this afternoon?

Mr. ADAMS (conferring). You mean something in writing with reference to whether or not I shall answer?

Senator SYMINGTON. Yes.

Mr. ADAMS. Yes, sir, I will.

Senator SYMINGTON. In other words, will you bring, in writing, instructions signed by somebody?

Mr. ADAMS. I will, sir.

Senator SYMINGTON. With respect to why you are unable to tell us what the people said at the meeting, you being the person who told us they were at the meeting, voluntarily.

Mr. ADAMS. Yes, sir, I will.

Senator SYMINGTON. Mr. Adams, does your position of this morning also include Mr. Gerald Morgan?

Mr. ADAMS. He was at that same meeting, sir. Yes, sir.

Senator SYMINGTON. Didn't he come down also and talk to members of the subcommittee?

Mr. ADAMS. He came with me and talked to one member of the subcommittee.

Senator SYMINGTON. Yet you are not allowed to say what he said to a member of the subcommittee?

Mr. ADAMS. Oh, no. My instructions don't include what he said to members of the subcommittee.

Senator SYMINGTON. It is just what he said at this meeting to you, is that it?

Mr. ADAMS. The instructions include conversations between members of the executive branch.

Senator SYMINGTON. What were the recommendations or instructions that were given you at the end of the meeting?

Mr. ADAMS. I think I must give you the same answer, sir, until subsequent to lunch.

Senator SYMINGTON. But you have already told us some of those. You said it was suggested—

Mr. ADAMS. That is correct, sir. I am sorry. I am in error. I am permitted to restate matters that I have already testified to.

Senator MUNDT. May the Chair say that he believes if the witness is going to select certain statements out of the discussion that he

thinks are not clear, he can say he has gotten himself into a very incongruous position. If he is going to discuss the conversation at all, the Chair thinks he should discuss it in its entirety.

Mr. ADAMS. That is correct, sir. I started to say to Senator Symington that my instructions permit me to discuss what I have already discussed, and so far as that is concerned, I can answer Senator Symington's question.

Senator SYMINGTON. I would like to make a personal suggestion to you, and that is, I suggest that you advise the executive branch that I am sure at least some members of the subcommittee, tell the executive branch that they think it is right that you be allowed to tell the truth at this meeting about things that you have already brought up.

Mr. ADAMS. Yes, sir.

Senator MUNDT. The Senator's time has expired.

Senator SYMINGTON. I am sorry about that. We have had quite a few interruptions.

Senator MUNDT. If you want to argue with the timekeeper, you may do so, but the timekeeper has told me your time has expired.

Senator SYMINGTON. I will be glad to accede to the timekeeper's instructions.

Senator JACKSON. The timekeeper is a lady, and I advise against arguing.

Senator MUNDT. All I want to say, if the time is up, it is up, as far as the Chair is concerned. If any member wants to argue with the timekeeper, that is his privilege.

Senator DIRKSEN, we will call on you now. You were inadvertently out of the room when your time came.

Senator DIRKSEN. Mr. Chairman, I am going to ask Mr. Adams a few questions, and then I shall ask the committee to have Mr. Adams stand aside and I would like to have the chairman swear me and I would like to tell what I know about this case.

First, I want to ask Mr. Adams this: As I get it from your testimony, you stated that the Schine matter became oppressive some time in early November.

Mr. ADAMS. I think that is correct, sir.

Senator DIRKSEN. And it continued through November and December on into January?

Mr. ADAMS. Yes, sir.

Senator DIRKSEN. You did not call on any members of this subcommittee until the 19th of January.

Mr. ADAMS. The 19th or 20th, sir.

Senator DIRKSEN. The 19th is the day that you called on Senator McClellan, according to your direct testimony.

Mr. ADAMS. I may be off a day or so, but it is in that week.

Senator DIRKSEN. What time of the day was it that you called on Senator McClellan?

Mr. ADAMS. About 6 o'clock or 5:30 in the evening.

Senator DIRKSEN. There had been a meeting of the subcommittee and staff that day, the same day?

Mr. ADAMS. I don't remember, sir. There may have been.

Senator DIRKSEN. I have before me here a transcript of the executive session on January 19, 1954, and I assume that that meeting took place either in the morning or in the afternoon. Do you recall whether

you appeared before Senator McCarthy and the staff with respect to the subpoenas that they intended to issue?

Mr. ADAMS. That is right.

Senator DIRKSEN. For certain members of the loyalty board?

Mr. ADAMS. Let me get my dates straight, sir. I don't want to give you the wrong date. That was on the afternoon of the 19th.

Senator DIRKSEN. The executive session was on the 19th?

Mr. ADAMS. Yes, sir.

Senator DIRKSEN. In the afternoon?

Mr. ADAMS. Yes, sir.

Senator DIRKSEN. You called on Senator McClellan about 6 o'clock?

Mr. ADAMS. I think that was on the 19th.

Senator DIRKSEN. The same day?

Mr. ADAMS. I think that was on the 19th; yes, sir.

Senator DIRKSEN. It is not for me particularly to ask you what you may have discussed with Senator McClellan except the direct testimony shows that you went there at the instance of the Deputy Attorney General, Mr. Rogers.

Mr. ADAMS. That is correct, sir.

Senator DIRKSEN. That is correct?

Mr. ADAMS. Yes, sir.

Senator DIRKSEN. There are 26 members of the loyalty board as I understand, Mr. Adams. There are or there were or that is substantially the number of members of the loyalty board?

Mr. ADAMS. That is correct; somewhere around there.

Senator DIRKSEN. As I recall, about 19 of those are civilians and 7 of them are Army officers.

Mr. ADAMS. I don't have the figures, sir. That is probably correct.

Senator DIRKSEN. I have the list here as of September 8, 1953. It indicates there are 26 members of the loyalty board and that 19 are civilians and 7 are Army officers.

Are the civilian members of the loyalty board holdovers from the prior administration?

Mr. ADAMS. I think that most of them are people who have been in the civil service for some time.

Senator DIRKSEN. So it is a fair assumption that they have been in Government for quite some time?

Mr. ADAMS. Yes, sir; I don't know the exact lengths of time.

Senator DIRKSEN. Now, Mr. Adams, the loyalty board operates on a panel basis. They get a few at a time to sit on a given number of cases?

Mr. ADAMS. That is correct, sir.

Senator DIRKSEN. In the testimony on the 19th of January when you appeared before the committee it was intended that certain members of the Loyalty Board were going to be summoned?

Mr. ADAMS. That is correct, sir.

Senator DIRKSEN. Among them, although he is not on the board, General Reichelderfer was to be summoned, is that correct, if you recall?

Mr. ADAMS. I think the name of Reichelderfer was offered to me, I am not sure, as a name that I was told on the telephone that they would want to interrogate in the next few days, yes, sir.

Senator DIRKSEN. And it was indicated by the chairman that a Lieutenant Colonel Hodges was going to be called?

Mr. ADAMS. The indications came from Mr. Carr, but that is correct, Senator.

Senator DIRKSEN. The record also shows that Mr. Malcolm Seawell, Mr. Gordon D. Taft and Doctor Reichley were all to be called on the executive hearing on January 19, the same day that you called on Senator McClellan?

Mr. ADAMS. Yes, sir.

Senator MUNDT. Will you speak a little more loudly, please?

Mr. ADAMS. Yes, sir.

Senator DIRKSEN. So you had a session with the committee on the afternoon and at 6 o'clock on that day, you went to discuss something with Senator McClellan and at the instance of the Deputy Attorney General?

Mr. ADAMS. Yes, sir.

Senator DIRKSEN. On the 22d of January, you came to my office?

Mr. ADAMS. Yes, sir.

Senator DIRKSEN. About what time of the day was it?

Mr. ADAMS. It was about 5:45 in the afternoon.

Senator DIRKSEN. And you came with some other person?

Mr. ADAMS. With Mr. Gerald Morgan of my staff.

Senator DIRKSEN. Mr. Gerald Morgan, that is correct.

Mr. ADAMS. Yes, sir.

Senator DIRKSEN. The person who could probably best testify as to the discussion that took place at that time would be somebody who was there at the time; is that correct?

Mr. ADAMS. One of the three of us.

Senator DIRKSEN. And you would agree it is the responsibility of a member of this subcommittee if he has some special knowledge that would have a bearing on the issue, that he ought to testify to that effect?

Mr. ADAMS. I agree; yes, sir.

Senator DIRKSEN. Now, I think, Mr. Adams, we ought to ask you to stand aside. If it is agreeable to the committee, I would ask the chairman to instruct the counsel that he ask me what happened in my office on the 22d of January, and without interruption, and I would like to tell the story.

Senator MUNDT. Is there objection to having Senator Dirksen sworn at this time? The Chair hears none. You will stand and be sworn, please.

I think he might as well testify from where he is.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Senator DIRKSEN. I do.

TESTIMONY OF HON. EVERETT McKINLEY DIRKSEN, A UNITED STATES SENATOR FROM THE STATE OF ILLINOIS

Senator MUNDT. Mr. Jenkins, will you now interrogate the witness, Senator Dirksen from Illinois?

Mr. JENKINS. Mr. Chairman, I will be glad to interrogate the witness directly. I confess that I have no disposition to cross-examine one of my clients. I will confine it to direct examination.

For the benefit of the record, Senator, I will ask you to state your full name.

Senator DIRKSEN. My name is Everett McKinley Dirksen.

Mr. JENKINS. We have all heard your examination of Mr. Adams with respect to a conference in your office about 5:45 p. m., on January 22, 1954, at which time, you, Mr. Adams and Mr. Morgan were present, is that correct, Senator?

Senator DIRKSEN. That is correct.

Mr. JENKINS. Was anyone else present on that occasion?

Senator DIRKSEN. No, sir.

Mr. JENKINS. I will ask you now, Senator Dirksen, to tell the committee what transpired on that occasion, and the conversation in full.

Senator DIRKSEN. Mr. Chairman, by way of preliminary, let me just say for the benefit of the record, and for those who may be watching this proceeding, that there arrives at my office about 2,500 letters and telegrams a day. Some of them are so intemperate and so abusive and so unrestrained, that my office force is afraid they might affect my finer sensibilities and they don't even show them to me. It would occur, from an examination of this outpouring of mail, that I have been charged with being belligerently partial on one side or on the other.

Now, Mr. Chairman, I esteem it my duty to tell what I know about this matter and what I have to say relates entirely to this question of the issuance of subpoenas for members of the Loyalty Board. I am generally familiar with the operation of the Board, its complexion, and I know from my examination of the transcript of the executive testimony on January 19 what transpired and who was to be summoned, and generally why.

But, Mr. Chairman, I was not honored by any visit with respect to the Schine matter until the afternoon of January 19, 1954. Frankly, I knew nothing about the incubation of this controversy or that it had become oppressive, or that there was such a controversy, as a matter of fact. And so in the afternoon, there came to my office Mr. Adams and Mr. Gerald Morgan. I have known Mr. Gerald Morgan for a long time. He was a member of the legislative counsel's staff in the House of Representatives when I served there, and I esteem him, Mr. Chairman, as a friend. I think he is a fine citizen and a brilliant lawyer, and a very skilled legislative draftsman. So, I want nothing to reflect upon Mr. Morgan. He is a friend and I can only assume that he was contacted for the purpose of bringing Mr. Adams to my office. I know of no reason why Mr. Adams shouldn't have come on his own. I have been a member of this subcommittee for a long time. My door is always open. And it doesn't require the intervention of anybody to influence my conduct or my behavior or my judgment. I don't say it was done for that purpose. But that was the first time that I have ever been honored by a visit from Mr. Adams, notwithstanding the fact that it appears that this controversy was in the development stage for a period of nearly 2½ months.

The question came up, Mr. Chairman, about the subpoenas which were to be issued for certain members of the loyalty board, as I recall from the testimony before the executive session of the committee on the 19th of January, only five members of the loyalty board were to be summoned at that time, and in addition, General Reichelderfer was to be summoned with respect to an individual at Fort Monmouth. It serves no purpose for me to comment upon that matter. But,

frankly, as I reconstruct the conversation in my office on that afternoon, Mr. Adams came to my office for the purpose of enlisting my influence to kill those subpoenas and to stop them. I can place no other construction, I can place no other interpretation upon that action. And in pursuance of that, wanting to do what I thought was the right thing, being interested in the Army and in the maintenance of its morale, I promptly called Frank Carr of the committee and I could not get him, because it was evidently too late.

I went to my office early the next morning, because I was thoroughly agitated about it. I should go back for a moment to say that in connection with this effort to stop those subpoenas, that is the first time, Mr. Chairman, that I heard about the Cohn-Schine controversy. I knew nothing about it up to that time that I can recall, but that matter came out, and it came in the form of a hearing, and it disturbed me so greatly that I went to my office early the next morning to make sure that I would get ahold of Mr. Carr before any action might have been taken upon those subpoenas. I think Mr. Carr may have monitored my conversation, and may I say for the record, Mr. Chairman, I never monitor telephone conversations, I speak entirely from memory. I have no diary, I have no notes to refresh my recollection. What I say to the committee, I say wholly on the basis of what recurs to me with respect to that conversation and what ensued thereafter.

The next morning I got hold of Mr. Carr. I expressed to him my distress of spirit, and I said simply, "Mr. Carr, I trust that if the subpoenas have not been issued, that you will hold them, because it is my understanding that the chairman is out of town."

The chairman was, in fact, out of town, and if I recall correctly, and he can correct the record if this is not right, I believe the night before he had been in Cicero, Ill., to make a speech. But at 11 o'clock that night he called me and over the telephone to him I expressed my great distress of spirit. I said, "Mr. Chairman, I trust that no untoward or precipitative action will be taken with respect to these subpoenas until we can have a session."

And it was arranged then and there over the telephone that we meet in his office at 2 o'clock that afternoon. I still draw on memory, Mr. Chairman, but it runs in my mind that at the session in Senator McCarthy's office that afternoon, there was present Senator Potter, I was present, I am not sure but, Mr. Chairman, I think you were present, and Senator McCarthy was present.

I opened the conversation and I said, "Mr. Chairman, I am greatly distressed over what I learned yesterday afternoon in my office that here are some allegations that may have some effect upon the ultimate credibility and the effectiveness of this committee in the future. It is an important instrument of Government in ferreting out subversion and communism and if its credibility is impeached or if it is destroyed, we must take judicial notice of this matter that came to my attention yesterday afternoon."

And I said, "Mr. Chairman, if what was revealed to me in my office yesterday afternoon is correct, I think Roy Cohn ought to be fired forthwith and I think every member of the committee will bear me out. I think I said on that occasion that if this thing goes in that direction, and it becomes something of a public scandal, that maybe we ought to recommend to the Department of Defense that Mr. Adams be fired along with him."

That session continued for perhaps an hour and a half, and we went into it pretty thoroughly. So that is the jumping-off place.

I just left it at this: that Mr. Adams came to my office on the afternoon of January 22 for the purpose of enlisting my interest and my influence, if possible, to at least suspend the issuance of those subpoenas for members of the loyalty board and perhaps to kill them.

I was not sure about the legal premises that were involved at the time, because I went into that matter later as to whether or not they could be rightly summoned. But I should say that I was familiar with the fact that in the hearing on January 19, the chairman certainly did not limit himself to questions concerning the actions of the Loyalty Board in reversing the decisions of lower loyalty boards or reinstating people who had been found guilty of disloyalty by lower boards, because I think the transcript will indicate that there were some questions of graft and some questions of corruption that he intended to raise.

So it wasn't clear, certainly, whether the members were going to be summoned only for the purpose of investigating and exploring the action that they may have taken in their review of the actions of lower loyalty boards. But I can only say, on the basis of conversation, that Mr. Adams came to my office to see what I might be able to do in order to divert attention from the subpoenas and probably stop their issuance.

Period. That is all I have got to say.

Senator MUNDT. Counsel, have you any questions?

Mr. JENKINS. Mr. Chairman, that very full, restrained, and apparently complete statement of Senator Dirksen's requires no cross-examination as far as I am concerned.

Senator MUNDT. The Chair has only one question. He would like to inquire of Senator Dirksen: On the occasion of the visit to your office by Mr. Adams and Mr. Morgan, primarily from the standpoint of trying to, as you say, avert the calling of members of the Loyalty Board before our committee, how did a discussion of Schine and Cohn get into that conversation? Did you bring it up or did Mr. Adams bring it up, or did Mr. Morgan bring it up? Why was it brought up?

Senator DIRKSEN. Frankly, I knew nothing about the Cohn-Schine controversy until it was brought up at that time, and as I recall, it was first alluded to by Mr. Adams. It might have been by Mr. Morgan, but I think it was Mr. Adams.

Senator MUNDT. Senator McClellan?

Senator McCLELLAN. No questions.

Senator MUNDT. I presume the Senator has none for himself, so we will go to Senator Potter.

Senator POTTER. No questions.

Senator MUNDT. Senator Jackson?

Senator JACKSON. No questions.

Senator MUNDT. Senator Dworshak?

Senator DWORSHAK. No questions.

Senator MUNDT. Senator Symington?

Senator SYMINGTON. I have no questions.

Senator MUNDT. Mr. Welch?

Mr. WELCH. No questions.

Senator MUNDT. Senator McCarthy?

Senator MCCARTHY. Just one or two questions.

Senator, you said that you were very disturbed when Mr. Adams hinted something to you. Is it correct that you called Mr. Carr and told him that Mr. Adams had either hinted or indicated that if the subpoenas were not killed, they would issue a report about Mr. Cohn which would be embarrassing to Mr. Cohn and the committee?

Senator DIRKSEN. May I say that my recollection is slightly vague on that point. I am not sure that it was said that a report was going to be circulated. It may have been. But I know what my own agitation and spirit was at the time when I first heard it. I thought if such a report were going to be issued and ventilated on the front pages, that it would seriously reflect upon the credibility of this committee and its usefulness in the future, and had it not been for that fact, Mr. Chairman, I certainly would have made no endeavor to contact Mr. Carr that night, and I would not have gone to my office three-quarters of an hour earlier the next morning—in fact, I think I got there at 8 o'clock, and my first business was to contact Mr. Carr to make sure that I ascertained what the status of the prospective subpoenas was.

Senator McCARTHY. This may be repetitious, Senator, but let me ask you this so we have this absolutely clear on the record: You had the feeling, from what was said, that if the subpoenas were killed, no report about Mr. Cohn would be made public. If they were not killed, then there would be a report alleging misconduct on Mr. Cohn's part made available at least to part of the public?

Senator DIRKSEN. I am not sure I came to any conclusion on that point at the time, but I will say this: that this was the first time that a question of stopping the subpoenas was coupled with the Cohn-Schine story as it came to me, and it was the first I knew of it.

Senator McCARTHY. You said that there was a hint which disturbed you. I assumed that hint was that if the subpoenas were issued, these charges would be made public.

Senator DIRKSEN. Well, it was a case of whether or not this would finally come out into the open and reflect upon the whole committee. Obviously, Mr. Chairman, I think this ought to be added: It has been stated here that on many occasions the subcommittee met when only the chairman was present, and I think that is correct. That ensues from the fact that I, along with other members of this committee, are members of other committees. I know that Senator McClellan and Senator Mundt were probably busy last night marking up an appropriation bill at a rather late hour. That was my first chore this morning.

Consequently, because of our other senatorial responsibilities, we cannot always be on hand, so a good many of these meetings take place when only the chairman and the staff are there.

Senator McCARTHY. One further question, Senator:

As you stated, we met in my office the following day. I believe the only people present were you, Senator Potter, Senator Mundt, and myself.

Senator DIRKSEN. I believe that is correct.

Senator McCARTHY. No member of the staff, as I recall.

Senator DIRKSEN. None.

Senator McCARTHY. Mr. Carr was there part of the time. At that time did I relate to the subcommittee the tremendous pressure brought upon me to call off the hearings, the threats that they would issue charges against Mr. Cohn if I didn't? Did I tell the other three mem-

bers in the strongest language I could possibly use, I believe, that as far as I was possibly concerned I would not be blackmailed out of any investigations by any threats, that regardless of how embarrassing any charges might be, let them make them, that I intended to proceed unless I was outvoted by the members of my committee. In other words, did I give the committee the complete story of the pressure used upon me to call off these hearings at that time?

Senator DIRKSEN. I think that is right, and while I cannot reconstruct the language I know we discussed the whole subpoena issue at great length.

Mr. Chairman, may I make this suggestion. This proceeding has got to be fair. It was insisted that it be an open hearing and that everything be revealed. I am ready and I think Mr. Adams ought to have an opportunity to cross-examine me if he desires with respect to the conversation that took place in that office.

Mr. Welch was not there. Mr. Adams was there. He may disagree. In the interest of complete fairness, I am perfectly willing, if you want to afford that right, that Mr. Adams may cross-examine.

Senator MUNDT. I think he should accord him that right. May I inquire, Senator McCarthy, if you have concluded your questions?

Senator MCCARTHY. Just one minute.

(Senator McCarthy conferred with aides.)

Senator MCCARTHY. Just this one question, in regard to the conversation with Mr. Carr. Do you recall, Senator—I know it is difficult to recall things that occurred months ago—do you recall that you did call Mr. Carr and suggest, No. 1, that he kill the subpoenas and not have them issued—

Senator DIRKSEN. I can answer right there.

Senator MCCARTHY. Let me finish, if you will.

Senator DIRKSEN. Very well.

Senator MCCARTHY. Which I think is a reasonable request when you were disturbed about this situation, that he told them that you and I and other members of the committee could get together No. 1.

No. 2, that you were told or led to believe by Mr. Adams that if he did not kill the subpoenas then there would be issued a report charging Mr. Cohn with misconduct.

Is that roughly what you told Mr. Carr, do you recall?

Senator DIRKSEN. With respect to No. 1, may I say that I specifically asked Mr. Carr if the subpoenas are not already been issued, not to issue them until the chairman returned to Washington. The subpoenas had not actually been issued at that time, and they were not issued. I just must follow through on that point that after the discussion the following afternoon in your offices I took no further action and made no further suggestions with respect to the matter of subpoenas.

With respect to the second part of your question, I can only say that if there was no such hint, the story might go out with respect to Mr. Carr and Mr. Cohn that at least I developed in my mind the belief and the feeling that the story might go out and that was based entirely upon the conversations had in my office the previous afternoon with Mr. Adams and with Mr. Morgan.

Senator MCCARTHY. May I say for the record, so there is no misconception of my questions, I feel that everything Senator Dirksen

did here was completely proper, completely normal, to call Mr. Carr, to ask for the hold-up of certain subpoenas for a few days time, the discussion of them. For the record and for the public, I think it is the normal procedure. Many times during the course of investigations certain Senators call and say, "Let's discuss this matter further before we bring in certain witnesses."

I want to make it clear that there was absolutely nothing in my mind even remotely improper about what Senator Dirksen did.

Senator MUNDT. Have you concluded your questions? Mr. Adams, do you have a question for Senator Dirksen?

Mr. ADAMS. I defer to my counsel, Mr. Welch.

Senator MUNDT. Mr. Welch, do you have any questions?

Mr. WELCH. I have a few very short ones.

Senator MUNDT. You may ask them.

Mr. WELCH. Senator Dirksen, it is, of course, a somewhat delicate matter for one in my modest means.

Senator DIRKSEN. It isn't, Mr. Welch, and you don't have to be restrained at all.

Mr. WELCH. There will be no edge to the questions that I ask you, sir.

Senator DIRKSEN. And if there were, I wouldn't mind.

Mr. WELCH. My first question is a very simple one, I don't happen to know, are you a lawyer, sir?

Senator DIRKSEN. Yes, sir.

Mr. WELCH. Then, I am sure that when the question of the subpoenas to the loyalty board was presented to you, you realized that that had in it constitutional implications; did you not?

Senator DIRKSEN. I am not sure that I did, because I had seen some memoranda which were inconclusive with respect to that question. But there was in my mind at the time the fact that they were going to be called for some other purpose besides the question of action that had been taken by members of the loyalty panel.

Mr. WELCH. You and I as lawyers both knew that if they were to be called and questioned as to whether or not they had taken bribes to make a certain decision, that line of questioning should be allowed. Do you not agree?

Senator DIRKSEN. I think so.

Mr. WELCH. And on the contrary, if they were to be called and examined as to the reasons which caused them to reach a decision on the merits of the case, that line of inquiry under our Constitution would have been improper?

Senator DIRKSEN. I am not so sure about that, Mr. Welch.

Mr. WELCH. Well, Mr. Dirksen, in any event, it is an area which presents grave questions.

Senator DIRKSEN. That I admit freely.

Mr. WELCH. And in respect to which not everyone is in agreement?

Senator DIRKSEN. That is correct.

Mr. WELCH. And it follows from the fact that you who are not only a Senator but a lawyer, and with some knowledge of constitutional law, probably exceeding mine, that you knew that question alone was a grave and agitating question?

Senator DIRKSEN. I do indeed, Mr. Welch, but that question did not agitate me quite so much as the fact that it was coupled with a matter

that had not been directed to my attention before, and that is the controversy which is the essence of this hearing.

Mr. WELCH. That is right. That is the one to which I now wish to turn my attention. The second thing which you heard in that interview was some recital to the effect that Mr. Cohn had placed remarkably undue pressure on Mr. Adams?

Senator DIRKSEN. What was that again?

Mr. WELCH. Strike it out. I don't like my question too well. In that interview, you also heard something to the effect that Mr. Adams had been placed under cruel pressure by Mr. Cohn in respect to one David Schine?

Senator DIRKSEN. Yes. I think there was a very considerable discussion about the matter.

Mr. WELCH. And that was also a matter of agitation to you?

Senator DIRKSEN. Indeed, it was.

Mr. WELCH. You knew, sir, that if that was true, it was so improper that Mr. Cohn's employment by the committee should not continue until sundown, didn't you?

Senator DIRKSEN. I wouldn't—

Mr. WELCH. Your answer?

Senator DIRKSEN. Will you restate the question?

Mr. WELCH. May it be read to him, please?

Senator MUNDT. The reporter will read the question.

Senator DIRKSEN. It is a short question. Repeat it, please.

Mr. WELCH. All right. You knew if what was said about Mr. Cohn was true, his continuation as an employee of this committee should not continue until sundown, didn't you?

Senator DIRKSEN. Well, I indicated in the meeting that we had in the chairman's office that if it were true, and I had no way of knowing the truth or falsity of the matter, that I thought Roy Cohn had outlived his usefulness of the committee, and may I say for public consumption right now, that at the moment certainly I take back what I said about that, and I shall review it in my own mind.

Mr. WELCH. I am only saying this, sir, that if the charges of the cruel pressure on Mr. Adams were true, you, sir, as a Senator and as a gentleman, would have known Mr. Cohn's value to the committee was at an end?

Senator DIRKSEN. Well, Mr. Welch, it occurs to me that the cruel pressures were not discussed, as I recall the conversation we had that afternoon. The thing that stuck in my mind mainly was not pressure but rather the fact that here was an effort to secure preferred—or an alleged effort—to secure preferred treatment for a private, which certainly would not look good on the front page and might enmesh every member of this subcommittee if it could be established, and that we might find ourselves charged with laches umbrage and with neglect of duty that it had not come to our attention and that something had not been done about it before. But that was the first time, coupled with the subpoena matter, that it was ever directed to my attention.

Mr. WELCH. That I fully understand, sir. May I now ask you, Senator, how long you have lived in Washington?

Senator DIRKSEN. I have been here nearly 20 years in the House and Senate, and maybe longer.

MR. WELCH. And did it not occur to you, sir, that if there was a word of truth in what you were being told about pressures that Cohn had put on Adams, that that secret in this kind of a city would soon be out?

SENATOR DIRKSEN. Well, I have an idea that, on the basis of experience, that some of it would leak, and particularly if you want a full answer, when newspapermen are called in and told about this a month before a member of the Senate ever discovers what the real allegation and the chronological charges are, because it is apparent from the testimony that Mr. Alsop knew about this at least 30 days before the junior Senator from Illinois was ever advised about it, except in his office on the 22d of January.

MR. WELCH. I am not discussing that with you, sir. I am only asking you if it is not your experience based on 20 years in Washington that if a man reaches a point where he comes to the office of a Senator and recites the kind of pressures Mr. Adams recited, that you know that kind of thing is not going to remain a secret?

SENATOR DIRKSEN. Well, that is a moot question. If it has any bearing upon this matter.

MR. WELCH. It is not very moot, is it, Senator? You know perfectly well this thing could not have been bottled up very much longer if it got over your threshold and two gentlemen of standing were telling it to you.

SENATOR DIRKSEN. But, Mr. Welch, in all fairness to all sides, and since certainly my conduct has been impugned on occasions, it has been alleged that I have been bending over backward to shield the Army, that I have been bending over backward to shield Senator McCarthy, and if you have any doubt about it all you have to do is read Drew Pearson's column yesterday morning, I am determined that this story go into the record, because the subpoena question and the matter of enlisting my services in order to stop them was coupled with the Cohn-Schine controversy and a subpoena is an indispensable weapon in a matter of investigation by a committee of the Senate.

MR. WELCH. I beg of you, Senator, let's not be disturbed with the attacks and the praise that you get.

SENATOR DIRKSEN. I am not. I have been here too long for that, Mr. Welch.

MR. WELCH. Even as mild a gentleman as Mr. Welch, catches it from both sides, I assure you.

We can none of us escape.

SENATOR DIRKSEN. But I want to add this one thought, and it is for the record, the Senator from Illinois as the confidential transcript that was issued yesterday morning will indicate, the junior Senator from Illinois did his best to stop an open hearing. He did say that perhaps everything could be served by recommending to the Army that they dispense with the services of Mr. Adams, that the committee dispense with the services of Mr. Cohn without prejudice. I wanted it stopped. The reason for the motion that I brought in here this week was to ring down the curtain, because I am just as much interested to prevent the demoralization of the armed services and the development of dissident spirit in this country as anybody, and I still stand on it, and it will be one of my greatest regrets in my legislative career that I failed to get it done. But now that it has got to be in the open,

we just as well have the whole story so that nobody can take umbrage and say that the junior Senator from Illinois departed from a straight line.

Mr. WELCH. Mr. Dirksen, may I say to you as a gentleman, from what I would like to believe is another one, you and I are in total agreement. I have always thought the total story should be told.

Senator DIRKSEN. I thank you, sir.

Mr. WELCH. Now, sir, may I sum your testimony as gracefully as I can. You first heard that there was this question of subpoenas and you, as a lawyer and a Senator, knew that that was an agitating matter. Is that right, sir? That is correct?

Senator DIRKSEN. Yes, that is correct.

Mr. WELCH. We have to have a word from you.

Senator DIRKSEN. Yes.

Mr. WELCH. And secondly you heard this astonishing story of pressure by the chief counsel on Mr. Adams, and that, too, was an agitating story?

Senator DIRKSEN. Yes. But, Mr. Welch, let's add for the purpose of this testimony that the two were coupled and that my services were requested to kill those subpoenas if I could do them.

Mr. WELCH. And you have no regret that you helped kill them, have you, sir?

Senator DIRKSEN. I did not kill them, as a matter of fact, my good sir. I got them suspended long enough so that we could have a meeting of some members of the committee so that the whole matter might first be discussed to ascertain what all the equities and the varieties were in the case.

Senator MUNDT. Any further questions?

Senator SYMINGTON. Mr. Chairman.

Senator MUNDT. Have you a point of order?

Senator SYMINGTON. I have a point of order.

Mr. WELCH. Could we wait a moment?

Senator MUNDT. I will listen to your point of order, Senator Symington.

Senator SYMINGTON. I will prefer to wait until Mr. Welch has finished.

Senator MUNDT. Mr. Welch, your time has expired. Do you have some other questions? I will go around the table again, if you do, sir.

Mr. WELCH. Would you come back to me? I might have one, but I doubt it.

Senator MUNDT. Do any Senators to my right have any questions? Counsel?

Do any Senators to my left have any questions?

Senator McCarthy, have you any questions?

Senator SYMINGTON. Just a minute, Mr. Chairman.

Senator MUNDT. Senator Symington?

Senator SYMINGTON. Mr. Chairman, this is getting so interesting that I wish I had been on the committee at this time, but I would like to say that inasmuch as Senator Dirksen, for whom I have great respect, has been very fine and forthright with respect to his position and the problems involved in it, and his thoughts about it, I think it only fair that the other members of this subcommittee who were

interrogated or questioned or visited, or whatever you might call it, by Mr. Adams, also give their side of the position.

Senator MUNDT. The Chair was about to request that he be sworn as the next witness.

Have you further questions, Mr. Welch?

Mr. WELCH. I think not, sir.

Senator MUNDT. Will the committee, before swearing the Chair, give the Chair unanimous consent to ask one question of Mr. Adams, which is: What was the date when you and, was it Mr. Gerry Morgan, called in my office?

Mr. ADAMS. No, sir, I called on you alone, sir.

Senator MUNDT. You called on me alone?

Mr. ADAMS. I called on you alone, sir, at noon, at about noon on January 22. I saw you in your office for about 30 minutes.

Senator MUNDT. That is correct.

Senator McClellan has asked to clear up the date you called on him.

Mr. ADAMS. I called on Senator Symington on the night—

Senator MUNDT. Not Symington—McClellan.

Mr. ADAMS. I called on Senator McClellan in the evening at about 5:30 or 6 o'clock on January 19. I called on Senator Dirksen on the date which we have established. I called on you at noon, on January 22.

Senator MUNDT. Thank you.

The Chair would like to be sworn at this time. Senator McClellan, will you swear me so I can testify?

Senator McCLELLAN. Do you solemnly swear that the evidence you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Senator MUNDT. I do.

TESTIMONY OF HON. KARL E. MUNDT, A UNITED STATES SENATOR FROM THE STATE OF SOUTH DAKOTA

Senator MUNDT. The Chair didn't know he was going to have the opportunity of being a witness today. He rather felt he might be sooner or later, and regrets he didn't put on his television shirt for this purpose.

Senator POTTER. You can put it on for the afternoon session.

Senator MUNDT. The Chair first of all would like to recap, to the best of his memory, the conversation he had with Mr. Adams in his office on January 22.

May the Chair begin by saying that he never attended any of the hearings of the Fort Monmouth investigation because most of them took place during the congressional recess when the Chair was out in South Dakota, and following that on a speaking tour to the west coast. Reading as much as he did about them in the papers, he made a telephone call to Frank Carr one day, stating that he felt as long as hearings were being held and he was being interrogated periodically by the press about them, he would like to get a daily telegraphic condensation or synopsis of each day's hearings. I received those from that time on, every day, with a short synopsis of what took place at the executive hearings and the hearings which were held on the Fort Monmouth case. Other than that, I had only a newspaper reader's amount of information about them.

So, when Mr. Adams came to my office at noon, shortly after noon I think it was, on the 22d of January, he did not have a very wide background as to what had taken place. I did not think that Mr. Morgan was with him, and I am happy to have Mr. Adams confirm that. There was no reason he should be. Mr. Adams is a South Dakotan. I am a South Dakotan. We have known each other for a long time. There would be no reason for him to bring anybody to my office when he came to see me. It was his first visit to my office, insofar as I can recall, about the Fort Monmouth investigation.

On that occasion, the Chair will say, he opened the conversation by discussing substantially what Senator Dirksen has reported in his discussion—the matter of the subpoenas which had been issued for certain members of the loyalty board. The Chair stated that in his experience as a member of investigating committees dating back to the time when he served on the Dies committee with Martin Dies of Texas as chairman, he had always done everything which he could to try to maintain the strength and the position of Congress to have all of the available information before committees; that he felt inclined always to be on the side of a congressional committee endeavoring by subpoena or any other device to get all of the available information.

I have made that position very clear. I have made it in a great many news statements. I have made it in a great many speeches. I have protested, for example, against the so-called Truman Executive order which I felt tended to keep from congressional committees that which, in my opinion, as a coordinate branch of Government, they have the right to know—the facts.

I have stated that I was happy to find the relaxation in that order which was made by President Eisenhower. I was disappointed that the relaxation was not more complete, because I believe that Congress as the people's representatives are entitled to the facts, whether they deal with graft, whether they deal with corruption, whether they deal with subversion, or homosexuality, on the part of officials in the executive branch of Government.

Mr. Adams pointed out to me—he is a lawyer and I am not—that members of the loyalty board in his opinion had a sort of quasi-judicial capacity. He felt perhaps they should get some other treatment than ordinary members of the executive branch of the Government. The Chair was in no position to pass upon that but simply said as far as he was concerned he felt that if it were possible and productive to bring those people before a congressional committee, he could see no reason why they should be included out.

After discussing that for some length, Mr. Adams brought up before me the discussion of Cohn and Schine and the fact that a great many efforts had been made by Mr. Cohn to try to get preferential treatment for Mr. Schine in the United States Army. Frankly, I felt a little bit uneasy about the juxtaposition of those topics, which in my opinion were entirely unrelated. We didn't discuss them at any great length, but I do recall getting up from my desk and walking to the outside door of the office with Mr. Adams and saying this: That if I were running the United States Army, that would be no problem with me at all after the second time a committee staff member called me up. I would tell him from that time on, "I am running the Army. You run your committee." And I wouldn't talk with him on the subject one single additional time.

I pointed out further that, speaking for myself as a member of the committee, Dave Schine was just another John American, that I wasn't one bit concerned what happened to Dave Schine. They could put him—and I think I used this phrase—on KP duty for the rest of his natural life as far as I was concerned if the Army felt that was the proper function to assign to him. I said I hoped that because he was a member of the staff of the committee he would not be given any discriminatory treatment against him, and I was sure he would not, and certainly as a member of the committee staff he was not entitled to any preferential treatment as far as I was concerned.

I said that I felt that that was true of the other members of the committee, but I knew it was true as far as I was concerned.

I attended the meeting to which Senator Dirksen alluded in Senator McCarthy's office. I said at that time, as Senator Dirksen said, that certainly if a member of our staff was using improper means to try to procure for a friend of his, preferential treatment in the United States Army, I felt that was something our committee should not countenance and I think he should be asked to resign as a member of the staff. I said I didn't know whether it was true or not. I had heard the allegation.

At that meeting for the first time I heard from Senator McCarthy the fact that he had written a letter to the United States Army stating that he had requested that Schine be given just the regular treatment of any other prospective draftee. I suggested that Senator McCarthy read us the letter. He picked up the phone to the outside office and asked somebody in his office to find the letter. It took a little time to find it. She finally came in. Senator McCarthy read the letter which is now a part of the record.

I simply think that it is only right that the chairman should state his part in both of those two conversations. He now submits himself to the usual line of questioning, and, Mr. Counsel, you may question the chairman.

Mr. JENKINS. Mr. Chairman, there is one question that I desire to ask on that conference with Mr. Adams with respect to the subpoenas to be issued for members of the loyalty board. Did or not Mr. Adams on that occasion or on any other occasion raise the question with you that there was any directive or order prohibiting the issuance and the service of a subpoena on a member of a loyalty board?

Senator MUNDT. I am not sure that he did. He talked to me as a friend and as a fellow South Dakotan and as a lawyer giving me as his opinion—and perhaps he mentioned that there were directives, I am not sure, but endeavoring to convince me at least that these people held a quasi-judicial position and that they consequently should not come under the same concept of the subpoena power which I had and which I still have, and that is that the subpoena power of the United States Congress should be available to us to use almost always. There may be exceptions. I don't know. I am not a lawyer. If there are exceptions, it is very difficult for me to understand why there is any justifiable exception whatsoever unless to exercise the subpoena power would be to jeopardize the national security.

As far as the Chair is concerned, he has never been able during the 16 years that he has been in the House of Representatives or in the Senate to find any other valid reason for denying the people's repre-

sentatives in Congress all of the facts, regardless of whom they may embarrass.

Mr. JENKINS. This further question, Mr. Chairman: Did you feel at the time that Mr. Adams was enlisting or attempting to enlist your aid and your influence as a United States Senator in bringing about the desired result, to wit, that no subpoena should be issued for members of a loyalty board?

Senator MUNDT. That of course was the purpose of his visit. If I recall correctly—and I may be wrong about this—I think he mentioned that one reason he was concerned was that his immediate supervisor, Secretary Stevens, was out of the country, that this had fallen upon him, it was a pretty serious responsibility, and he was naturally concerned to see that the subpoenas were either suspended or deferred until some other time.

Mr. JENKINS. Mr. Chairman, if it isn't out of order, I would like to ask one simple, short question of Senator Dirksen while I am on my feet, if I may do so.

Senator MUNDT. Without objection, you may do so.

Mr. JENKINS. Senator Dirksen, I will ask you whether or not in your conference with Mr. Adams and Mr. Morgan, Mr. Adams raised the question that there was existing any Presidential directive prohibiting the issuance of a subpoena upon a member of the loyalty board.

Senator DIRKSEN. It could have been. I know that we discussed the matter at very considerable length. That question could have been raised for all I know. It does not definitely recur to me at the moment.

Mr. JENKINS. No further questions, Mr. Chairman.

Senator MUNDT. Senator Jackson has called to the attention of the Chair that he misspoke himself a moment ago, and I wish the record to be correct. When I referred to Mr. Cohn as a member of the committee, I meant the committee staff. I wish you could correct that.

Senator McClellan, you may interrogate.

Senator McCLELLAN. No questions.

Senator MUNDT. Senator Dirksen?

Senator DIRKSEN. No questions.

Senator MUNDT. Senator Symington?

Senator SYMINGTON. No questions.

Senator MUNDT. Senator Potter?

Senator POTTER. No questions.

Senator JACKSON. No questions.

Senator MUNDT. Senator Dworshak?

Senator DWORSHAK. No questions.

Senator MUNDT. Mr. Welch?

Mr. WELCH. No questions.

Senator MUNDT. Mr. St. Clair?

Mr. ST. CLAIR. No questions.

Senator MUNDT. Mr. Adams?

Mr. ADAMS. No questions.

Senator MUNDT. Senator McCarthy?

Senator MCCARTHY. Just one or two questions. This is a very unusual experience to cross-examine the Chair.

Senator MUNDT. For all of us it is unusual.

Senator McCARTHY. When Mr. Adams came to you on the 22d of January, did he convey to you the fact that I had told him, or rather that I stated to him as follows in regard to the subpoenas:

The CHAIR. At this point I would like to make clear that we are calling the members of the loyalty board not only to discuss why they have cleared people who are obviously Communists but we are also interested in matters of graft, alleged graft, corruption, and misconduct on the part of individual members of the board having nothing to do with their official duties. It is the same with General Reichelderfer. It does not merely concern loyalty boards procedures, but it has to do with many other things over which this committee not only has the jurisdiction but the duty to investigate.

My question is: Did Mr. Adams convey to you substantially this information, namely, that we wanted these individuals not merely as members of the loyalty board but in connection with alleged graft and corruption?

Senator MUNDT. I do not recall that he did. I do not recall the details as to why they were subpoenaed, because very frankly that part of his explanation did not take very long. Because I said, "Well, John, I want to tell you my position right now. I believe in the subpoena power of Congress, and exercising it just about every chance we get."

Senator McCARTHY. Just one or two other brief questions. We met in my office on the 22d or 23d. I believe it was.

Senator MUNDT. I recall the meeting.

Senator McCARTHY. And at that time, we discussed the matter of issuance of subpoenas, and the charges against Mr. Cohn. Do you recall that I gave the committee a résumé of the situation; that at that time I told you that I would agree that if Mr. Cohn had been guilty of what Mr. Adams charged him with, he certainly had lost his usefulness to the committee, but that I had been living with this matter for months, I was completely convinced that Mr. Cohn's conduct was completely proper, and at that time I told the committee about the constant needling by Mr. Adams of Mr. Cohn, the constant attempt to force me to call off the hearings; that I told the three members at that time that as far as I was concerned, if we could be blackmailed out of an investigation of Communists in the Army by a threat to attack our staff, that then we could be blackmailed out of any investigation. And that as far as I was concerned, I personally would not succumb to it; and as I recall, the Senators pretty much agreed that under no circumstances should we be blackmailed out of any hearings.

Is that roughly the conversation that you recall?

Senator MUNDT. I recall that after you read your letter you gave a quick rundown of substantially what you have said from that end of the table right now.

Senator McCARTHY. No further questions.

Senator MUNDT. Does anybody else have any further questions? If not, the Chair will unswear Senator Dirksen, and ask Senator McClellan to unswear the Chair.

Senator McCLELLAN. Mr. Chairman, you are now unsworn.

Senator MUNDT. Thank you.

We will proceed now.

Senator POTTER. Mr. Chairman.

Senator MUNDT. Senator Potter?

Senator POTTER. As long as this is testimonial day, again, would the Chair swear me?

Senator MUNDT. Senator Potter, do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Senator POTTER. I do.

TESTIMONY OF HON. CHARLES E. POTTER, A UNITED STATES
SENATOR FROM THE STATE OF MICHIGAN

Senator SYMINGTON. Mr. Chairman, may I ask a question?

Senator MUNDT. Yes, you may.

Senator SYMINGTON. It is now 25 minutes after 12, and I understand we are reconvening at 2 o'clock.

Senator MUNDT. That is correct.

Senator SYMINGTON. Would the Chair be gracious enough to let us have a little lunch now and let Senator Potter resume after the recess?

Senator POTTER. May I during the lunch period be unsworn?

Senator MUNDT. Yes.

We will stand in recess until 2 o'clock, when Senator Potter will be the first witness.

(Whereupon, at 12:27 p. m., the committee was recessed, to reconvene at 2 p. m. the same day.)

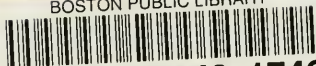


INDEX

	Page
Adams, John G.....	1177-1190
Testimony of.....	1150-1176
Adams, Gov. Sherman.....	1172
Air Force (United States).....	1156, 1160, 1169
Alsop, Mr.....	1184
American Ambassador to the United Nations.....	1171, 1172
Amherst, Mass.....	1151, 1153, 1161
Anderson, Robert B.....	1170
Army (United States).....	1150-1160, 1164-1169, 1171, 1172, 1175, 1178, 1184, 1187, 1188, 1190
Army Intelligence (G-2, Security Division).....	1158
Army officers.....	1175
Army personnel.....	1159
Attorney General (United States).....	1173
Baltimore, Md.....	1161
Blount, Lieutenant.....	1163
Brownell, Attorney General.....	1173
Camp Dix.....	1152, 1154, 1160, 1162, 1163, 1165, 1166
Camp Gordon.....	1154
Camp Kilmer.....	1167
Carr, Francis P.....	1150-1155, 1158, 1160-1162, 1167, 1176, 1178, 1181, 1182, 1186
Chicago, Ill.....	1160
Christmas.....	1163
Cicero, Ill.....	1178
Cohn, Roy M.....	1150, 1151-1155, 1158, 1161-1165, 1167, 1168, 1178-1181, 1183, 1184, 1187, 1189, 1190
Communist infiltration.....	1158
Communists.....	1158, 1190
Communists in the Army.....	1190
Congress of the United States.....	1156, 1166, 1187, 1188, 1190
Constitution of the United States.....	1182
Counselor to the Army.....	1150-1176
Defense Department.....	1154, 1169-1171, 1178
Democratic members (McCarthy committee).....	1165
Department of the Army.....	1150-1160, 1164-1169, 1171, 1172, 1175, 1178, 1184, 1187, 1188, 1190
Department of Defense.....	1154
Deputy Attorney General.....	1168, 1175, 1176
Deputy Secretary of Defense.....	1170
Dies, Martin.....	1187
Dies committee.....	1187
Dirksen, Everett McKinley.....	1187, 1188
Testimony of.....	1176-1185
Eisenhower, President.....	1167, 1187
Eisenhower's Executive order (April 1953).....	1167
Executive order (April 1953).....	1167
Fort Dix.....	1152, 1154, 1169
Fort Monmouth.....	1153, 1158, 1165-1167, 1186, 1187
G-2 (Army Intelligence, Security Division).....	1158
Hensel, H. Struve.....	1168, 1169
Hodges, Lieutenant Colonel.....	1175
House of Representatives.....	1177, 1183, 1188
Inspector General.....	1166, 1167
Inspector General's report.....	1167

	Page
Korea	1155
KP (kitchen police)	1157, 1158, 1163-1164, 1188
Lawton, General	1159
Lodge, Ambassador Cabot	1169-1172
Loyalty Board	1168, 1175, 1177, 1179, 1182, 1188, 1190
Marine Corps (United States)	1153
McCarthy, Senator Joe	1150, 1152-1154, 1158, 1160, 1163, 1167, 1168, 1171, 1175, 1178-1181, 1184, 1185, 1188-1190
McCarthy subcommittee	1150, 1163
McClellan, Senator	1174, 1186
Morgan, Gerald	1173, 1176, 1177, 1179, 1181, 1187, 1189
Mundt, Senator Karl E.	1163, 1180
Testimony of	1186-1191
Navy (United States)	1156, 1169
New York City	1151, 1152, 1155, 1158, 1160, 1161
New Years	1163
Newark, N. J.	1151, 1155, 1161
Office of Secretary of Defense	1169
Pearson, Drew	1184
Peress, Major	1167
Potter, Senator	1178, 1180
President of the United States	1167, 1187
Presidential directive	1189
President's Executive order (April 1953)	1137
Prewitt, Thomas	1150
Reichelderfer, General	1175, 1177, 1190
Reichley, Dr.	1175
Rogers, Deputy Attorney General	1175
Ryan, General	1162-1164
Schine, G. David	1150-1156, 1158, 1160-1165, 1168, 1169, 1172, 1174, 1177-1179, 1183, 1184, 1187, 1188
Seawell, Malcolm	1176
Secretary of the Army	1150, 1151, 1153, 1154, 1156, 1158-1160, 1164-1166, 1189
Secretary of Defense	1169
Security Division (G-2, Army)	1158
Selective Service System	1156
Senate of the United States	1150, 1183
Sioux Falls, S. Dak.	1151, 1153, 1161
Sokolsky, Mr.	1155
South Dakotan	1187, 1188
Stevens, Robert T.	1150, 1151, 1153, 1154, 1156, 1158-1160, 1164-1166, 1189
Symington, Senator	1186
Taft, Gordon D.	1176
Truman, President	1187
Truman Executive order	1187
United Nations	1169, 1172
United Nations (American Ambassador)	1171, 1172
United States Air Force	1156
United States Army	1150-1160, 1164-1169, 1171, 1172, 1175, 1178, 1181, 1187, 1188, 1190
United States Attorney General	1173
United States Congress	1156
United States Constitution	1182
United States Department of Defense	1154
United States Deputy Attorney General	1168
United States House of Representatives	1177
United States Marine Corps	1156
United States Navy	1156
United States President	1167
United States Secretary of Defense	1169
United States Senate	1150
Washington, D. C.	1158, 1159, 1181, 1183
West Point	1155, 1156
White House	1171

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